



House Journal

ORGANIZATIONAL SESSION

Organizational Session

Monday, January 12, 2004

Mistress of Ceremony: Good morning Ladies and Gentlemen, the swearing in ceremony of the Fourteenth Northern Marianas Commonwealth Legislature will begin momentarily. At this time, I ask everyone to please turn off all pagers and cellular phones. Your cooperation is greatly appreciated. Ladies and Gentlemen, I am honored to present to you our distinguished dignitaries who are present with us for today's ceremony: the Honorable Lieutenant Governor Diego T. Benavente; the Honorable Juan T. Lizama, Associate Judge of the CNMI Superior Court; the Honorable Pedro A. Tenorio, Resident Representative to the United States; the Honorable Juan B. Tudela, Mayor of Saipan; and the Honorable Valentin Taisakan, Mayor of the Northern Islands. Ladies and Gentlemen, I am honored to present to you the elected Representatives to the Fourteenth Northern Marianas Commonwealth Legislature: Representing Election Precinct I (Saipan): Representative-elect David Mundo Apatang; Representative-elect Joseph Pinaula Deleon Guerrero; Representative-elect Janet Ulloa Maratita; Representative-elect Benjamin Benavente Seman; Representative-elect Timothy Lewis Pangelinan Villagomez. Representing Election Precinct II (Saipan): Representative-elect Oscar Mangloña Babauta; and Representative-elect Jesus San Nicolas Lizama. Representing Election Precinct III (Saipan & Northern Islands): Representative-elect Jesus Torres Attao; and Representative-elect Benigno Repeki Fitial. Ladies and Gentlemen, Representing Election Precinct I (Saipan): Representative-elect Martin Borja Ada. Representing Election Precinct III (Saipan & Northern Islands): Representative-elect Arnold Indalecio Palacios; Representative-elect Ramon Angailen Tebuteb; and Representative-elect Ray Anthony Naraja Yumul. Representing Election Precinct IV (Saipan): Representative-elect Claudio Kotomor Norita; and Representative-elect Justo Songao Quitugua. Representing Election Precinct V (Tinian & Aguiguan): Representative-elect Norman Sablan Palacios. Representing Election Precinct VI (Rota): Representative-elect Crispin Mangloña Ogo. And last but not the least, I present Representative-elect Heinz Sablan Hofschneider representing Election Precinct III (Saipan & Northern Islands) who will preside as Speaker Pro-Tem for this Organizational Session. At this time, I call upon the Department of Public Safety for the presentation of colors and Mr. Candy Taman, who will lead us in the singing of the United States and the Commonwealth Anthems. Ladies and Gentlemen, please rise.

PRESENTATION OF COLORS

The Colors were presented by the Department of Public Safety Color Guards.

The National Anthem was sung.

Mistress of Ceremony: Thank you, gentlemen. At this time, I call on Reverend Father Joseph Billotti to lead us in prayer.

INVOCATION

Reverend Father Joseph Billotti, S. J. delivered the invocation.

Mistress of Ceremony: Thank you, Father Billotti. Ladies and Gentlemen, please be seated. Ladies and Gentlemen, I am honored to call upon the Honorable Heinz Sablan Hofschneider to call this Organizational Session of the House of Representatives to Fourteenth Northern Marianas Commonwealth Legislature to order. Mr. Speaker, please.

Speaker Pro-Tem Hofschneider: Thank you and good morning to all. Lieutenant Governor Diego Benavente, a long time member of the House of Representatives, welcome. The Honorable Judge Lizama, thank you for being with us and accepting the invitation to swear us in today. Our Washington Representative Pete Agulto Tenorio, welcome, in witnessing today's inauguration and our ever inspiring and hardworking Mayor Tudela, welcome, and to all of you, the people that are here today and those who are at home who couldn't be with us today. It is in fact a special occasion for all of us taking the oath of office today. Someone said, looks can be deceiving but today I don't think that's true. We

all look the best. We all look towards our responsibility. With no objection on the floor, Representative-elect Oscar Babauta will be the Floor Leader.

There was no objection.

Floor Leader Pro-Tem Babauta: Thank you, Mr. Speaker.

Speaker Pro-Tem Hofschneider: Thank you.

CALL TO ORDER

The House of Representatives of the Thirteenth Northern Marianas Commonwealth Legislature convened in its **Organizational Session**, on **Monday, January 12, 2004**, at **10:40 a.m.**, in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Heinz S. Hofschneider, Speaker Pro-Tem of the House, presided.

A moment of silence was observed.

Speaker Pro-Tem Hofschneider: House Clerk, please call the roll.

CALL OF THE ROLL

The Clerk called the roll by election districts. All eighteen Representatives-elect were present.

Speaker Pro-Tem Hofschneider: Thank you. That constitutes a quorum for the Organizational Session for the Fourteenth Commonwealth Legislature. We now call on the Honorable Juan T. Lizama, Associate Judge of the CNMI Superior Court for the administration of the Oath of Office.

SWEARING IN OF MEMBERS

Associate Judge Juan Lizama: Mr. Speaker, I am happy and honored to be here and I'm also pleased to see the eighteen Representatives-elect to take the Oath of Office. I'm going to ask the Representatives-elect to please rise. This is the moment for the Representatives-elect, families and friends of all of you to be proud of seeing you take the Oath of Office. Please raise your hand and repeat after me.

(The following was repeated by all the Representatives-elect.)

"I do solemnly swear that I will support and defend the Constitution and laws of the Commonwealth of the Northern Mariana Islands, the Covenant to establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America, the applicable provisions of the Constitution, laws and treaties of the United States of America, and that I will faithfully discharge my duties to the best of my ability, so help me God."

Associate Judge Juan Lizama: Congratulations to all of you. Thank you. (Applause)

Speaker Pro-Tem Hofschneider: Members, please remain standing for us to receive the message from the Senate.

Vice President Songao: Mr. Speaker, on behalf of the Senate of the Fourteenth Northern Mariana Islands Commonwealth Legislature is pleased to advise and inform the House that we're ready to do business.

Speaker Pro-Tem Hofschneider: Thank you. (Applause)

ADOPTION OF THE INTERIM RULES

Speaker Pro-Tem Hofschneider recognized Floor Leader Pro-Tem Babauta.

Floor Leader Pro-Tem Babauta: Thank you, Mr. Speaker, and good morning to everyone. Mr. Speaker, I'm privileged and honored to introduce an unnumbered Resolution, attaching herewith the Interim Rules of the House of Representatives of the Fourteenth Legislature. With that, Mr. Speaker, I so move for its adoption. Copies have been distributed.

The motion was seconded.

H. R. NO. 14-001: A House Resolution to adopt the Rules for the House of Representatives, attached herewith Appendix "A"; to appoint an Ad Hoc Committee to review the rules; and for other purposes.

Speaker Pro-Tem Hofschneider: Short recess.

The House recessed at 10:47 a.m.

RECESS

The House reconvened at 10:50 a.m.

Speaker Pro-Tem Hofschneider: We're back to...[end of recording]

(The following is a summary of the proceeding that was not recorded.)

There was no discussion, and the motion to adopt H. R. NO. 14-001 was carried by voice vote.

ELECTION OF SPEAKER

Speaker Pro-Tem Hofschneider recognized Rep. Villagomez.

Rep. Villagomez nominated the Honorable Benigno R. Fitial and was seconded by several others.

Speaker Pro-Tem Hofschneider recognized Rep. Attao.

Rep. Attao nominated the Honorable Heinz S. Hofschneider and was seconded by several others.

Floor Leader Pro-Tem Babauta moved to close nomination, was seconded and carried by voice vote.

Speaker Pro-Tem Hofschneider: Clerk, roll call.

The roll called on the motion for the Election of Speaker of the Fourteenth Northern Marianas Commonwealth Legislature is as follows:

Rep. Martin B. Ada	Hofschneider
Rep. David M. Apatang	Hofschneider
Rep. Jesus T. Attao	Hofschneider
Rep. Oscar M. Babauta	Fitial
Rep. Joseph P. Deleon Guerrero	Hofschneider
Rep Benigno R. Fitial	Fitial
Rep. Heinz S. Hofschneider	Hofschneider
Rep. Jesus SN. Lizama	Fitial
Rep. Janet U. Maratita	Fitial
Rep. Claudio K. Norita	Fitial
Rep. Crispin M. Ogo	Fitial
Rep. Arnold I. Palacios	Hofschneider
Rep. Norman S. Palacios	Fitial
Rep. Justo S. Quitugua	Fitial
Rep. Benjamin B. Seman	Hofschneider
Rep. Ramon A. Tebuteb	Hofschneider
Rep. Timothy P. Villagomez	Fitial
Rep. Ray N. Yumul	Fitial

(As a result of ten members voting for the Honorable Benigno R. Fitial and eight members voting for the Honorable Heinz S. Hofschneider, Speaker Pro Tem Hofschneider announced that Representative Benigno R. Fitial was elected Speaker for the Fourteenth Northern Marianas Commonwealth Legislature.)

Representative Hofschneider delivered a statement before stepping down from the dais. Speaker-elect Fitial took his seat on the dais and chaired the floor.)

ELECTION OF VICE SPEAKER

Speaker Fitial recognized Rep. Maratita.

Rep. Maratita nominated the Honorable Timothy P. Villagomez and was seconded by several others.

Speaker Fitial recognized Rep. Seman.

Rep. Seman nominated the Honorable David M. Apatang and was seconded by several others.

Floor Leader Pro-Tem Babauta moved to close nomination, was seconded and carried by voice vote.

Speaker Fitial: Clerk, roll call.

The roll called on the motion for the Election of Vice Speaker of the Fourteenth Northern Marianas Commonwealth Legislature is as follows:

Rep. Martin B. Ada	Apatang
Rep. David M. Apatang	Apatang
Rep. Jesus T. Attao	Apatang
Rep. Oscar M. Babauta	Villagomez
Rep. Joseph P. Deleon Guerrero	Apatang
Rep Benigno R. Fitial	Villagomez
Rep. Heinz S. Hofschneider	Apatang
Rep. Jesus SN. Lizama	Villagomez
Rep. Janet U. Maratita	Villagomez
Rep. Claudio K. Norita	Villagomez
Rep. Crispin M. Ogo	Villagomez
Rep. Arnold I. Palacios	Apatang
Rep. Norman S. Palacios	Villagomez
Rep. Justo S. Quitugua	Villagomez
Rep. Benjamin B. Seman	Apatang
Rep. Ramon A. Tebuteb	Apatang
Rep. Timothy P. Villagomez	Villagomez
Rep. Ray N. Yumul	Villagomez

(With the result of ten members voting for the Honorable Timothy P. Villagomez and eight members voting for the Honorable David M. Apatang, Speaker Fitial announced that Representative Timothy P. Villagomez was elected Vice Speaker for the Fourteenth Northern Marianas Commonwealth Legislature.)

ELECTION OF FLOOR LEADER

Speaker Fitial recognized Rep. Lizama.

Rep. Lizama nominated the Honorable Oscar M. Babauta and was seconded by several others.

Speaker Fitial recognized Rep. Tebuteb.

Rep. Tebuteb nominated the Honorable Jesus T. Attao and was seconded by several others.

Floor Leader Pro-Tem Babauta moved to close nomination, was seconded and carried by voice vote.

Speaker Fitial: Clerk, roll call.

The roll called on the motion for the Election of Floor Leader of the Fourteenth Northern Marianas Commonwealth Legislature is as follows:

Rep. Martin B. Ada	Attao
Rep. David M. Apatang	Attao
Rep. Jesus T. Attao	Attao
Rep. Oscar M. Babauta	Babauta
Rep. Joseph P. Deleon Guerrero	Attao
Rep Benigno R. Fitial	Babauta
Rep. Heinz S. Hofschneider	Attao
Rep. Jesus SN. Lizama	Babauta
Rep. Janet U. Maratita	Babauta
Rep. Claudio K. Norita	Babauta
Rep. Crispin M. Ogo	Babauta
Rep. Arnold I. Palacios	Attao
Rep. Norman S. Palacios	Babauta
Rep. Justo S. Quitugua	Babauta
Rep. Benjamin B. Seman	Attao
Rep. Ramon A. Tebuteb	Attao
Rep. Timothy P. Villagomez	Babauta
Rep. Ray N. Yumul	Babauta

(With the result of ten members voting for the Honorable Oscar M. Babauta and eight members voting for the Honorable Jesus T. Attao, Speaker Fitial announced that Representative Oscar M. Babauta was elected Floor Leader for the Fourteenth Northern Marianas Commonwealth Legislature.)

NOTIFICATION TO THE GOVERNOR AND TO THE SENATE

Speaker Fitial appointed Representatives Ray Yumul and Norman Palacios to notify the Governor and Representatives Claudio Norita and Crispin Ogo to notify the Senate that the House is organized and ready to conduct business.

At this time, the Chair declared a recess at 11:12 a.m.

RECESS

The House reconvened at 11:27 a.m.

Speaker Fitial: [beginning of recording] The session will reconvene. Before we went on recess, I appointed two delegations. One, to notify the Governor that the House has been duly organized and ready to transact legislative business and another delegation to notify the Senate, likewise. So I would like to ask the respective delegations to report to the session the result of their mission.

Rep. Hofschneider: Privilege, Mr. Speaker.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: May I start a tradition with you?

(The Honorable Heinz S. Hofschneider, Speaker of the Thirteenth Northern Marianas Commonwealth Legislature, presented a presiding gavel set to the newly elected Speaker of the Fourteenth Northern Marianas Commonwealth Legislature.) (APPLAUSE)

Speaker Fitial: Representative Yumul, may we hear your report?

Rep. Yumul: Thank you, Mr. Speaker. First of all, it was an honor for you to elect Representative Palacios and myself to approach the Governor and inform him of our organization. The message from the Governor is he's pleased with our organization and he's looking forward to working with us in the Fourteenth Legislature. Thank you.

Speaker Fitial: I now recognize Representative Clyde Norita to report on their mission to the Senate.

Rep. Norita: Mr. Speaker, as per your tasking, Representative Ogo and I proceeded to the Senate where we delivered the message to the Senate President and the members of the Fourteenth Senate. The Senate President received the message and extends congratulations to the new Fourteenth Legislature House of Representatives members and that they are ready and also willing to work with the House of Representatives.

Speaker Fitial: Thank you very much, Representatives Norita, Ogo, Yumul and Palacios. Next Item on the Order of Business is Communications.

COMMUNICATIONS

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta: There's none, Mr. Speaker.

Speaker Fitial: This time I would like to...

Rep. Attao: Mr. Speaker, we have a communication and I ask Representative Palacios to deliver the communication to the full House.

The Chair recognized Rep. A. Palacios.

Rep. A. Palacios: Thank you, Mr. Speaker. Mr. Speaker, I'm honored and privileged to officially inform you that by consensus we have voted and elected the Honorable Heinz Hofschneider as the Minority Leader. Thank you, Mr. Speaker. (Applause)

STATEMENTS OF MEMBERS

Speaker Fitial: I would like to ask the indulgence of the members on our next item on the Agenda, Statement of Members, that we proceed by alphabetical order, if there's no objection.

There was no objection.

Speaker Fitial: If that is the case, Representative Ada, you may proceed.

Rep. Ada: Thank you, Mr. Speaker. *Malagu yu bai hu fino Chamorro. Finenina, malagu yu bai ekstende un dangkulu na agradesimiento giya hululo i botadot i Precinct I despues i Committee to Re-elect ni dinihire gi as Ana Deleon Guerrero Flores yan i ofisiat siha. I Presidenten i NMI Republican Party as Joseph Reyes yan i ofisiat siha. I Presidenten i Precinct I Club as Juan I. Castro yan i ofisialis siha. Taimanu ha ilek-ña si Representative Hofschneider, esta makpo tod, maila ta fan ago'te kannai, maila ya ta fan afa'nu'i chalan mo'na. Ta tungo ha na lamita man nuebu man ma ilih halom ya lamita esta man ekspirensiao. Este gue ma a'alok demokrasia gi anai siña hit man matachong gi un sintada ya man agofli'e hit tod, man atulaika hit idea yan ekspirensia. Ta na li'e taotao Commonwealth, taotao Saipan espisiatmente, na esta man echo hit gi pulitikat ya taya esta i para ta akka' ya ta fan a'emmok uno yan otro. Un espisiat lakkue na agradesimiento bai na'i si nana-hu, i manelo-hu siha, i famagu'on-hu, i man parentis yan i man atungo. Ya gi interes i tiempo este ha, Mr. Speaker. Congratulations para todos hamyo. Si Yu'us Ma'ase. (Applause)*

The Chair recognized Rep. Apatang.

Rep. Apatang: Thank you, Mr. Speaker. Good morning and congratulations to you. Mr. Speaker, fellow colleagues of the Fourteenth Legislature, distinguish guests, my constituents from Precinct I, and ladies and gentlemen. Today is not a victory of party but it's a celebration of our people for bringing us back to office to work for them to improve their quality of life, to safeguard their interests and to make this Commonwealth a great Commonwealth. The next two years are not going to be easy with the meager resources we have. I am confident, however, that this Legislature will try and work together with the Administration to find resources for medical needs, for education, and for projects and

improvement of existing infrastructures for the safety of our people. Mr. Speaker, I am ready to work with this leadership and I assure you that I will support any legislation that will benefit the people of the Commonwealth. Finally, I want to extend my profound appreciation to the people of Precinct I, my Committee to Elect, my family and our heavenly Father for allowing me once again to help our people. I ask him of his blessing and his help because we all know that here on earth God's work must truly be our own. *Si Yu'us Ma'ase*. (Applause)

The Chair recognized Rep. Deleon Guerrero.

Rep. Deleon Guerrero: Thank you and congratulations, Mr. Speaker. Good morning members, distinguish guests, ladies and gentlemen. Let me take this opportunity to express a few words of appreciation. First, I thank the good Lord above for all the blessings He has bestowed on me, and my family. I thank my parents, Jose and Antonia, for their guidance and advise, for serving as my role models and for never hesitating to remind me about the values of hard work, humility and integrity. I want to thank my siblings for their unwavering support and encouragement, and my wife Mercedes and children, for their patience and understanding. To Mr. Donald Flores, Chairman of the Committee to Elect; Mr. Joe Palacios, Vice Chairman; Mr. Jose Sanchez, Advisor; Mrs. Sherlina Flores, Treasurer; Mrs. Candace Meyers, Secretary; our Republican Party Chairman and Precinct I Chairman and Officers and lastly, my staff here at the Legislature for all the hard work, long hours and personal sacrifices. I owe you all a huge debt of gratitude and my sincere *Si Yu'us Ma'ase*. To all my friends and relatives, who are not personally recognized today, please accept my humble apologies and deepest appreciation. To the residents of Precinct I, who have in one way or another given me their support and vote of confidence, *un sen Dangkulo na Si Yu'us Ma'ase*. *Bai hu na'i animu guine na tetminu ya ti bai hu na fan tekkun hamyo*. Mr. Speaker, I look forward to working with our new members of the Fourteenth House of Representatives, especially our new and younger members. I'd like to think that our youths are more open-minded. Open minded to cooperation beyond party lines. Open minded to the real and common goal of making positive changes to our islands. Open minded to think outside the box beyond conventional wisdom. Some may view the composition of this House with skepticism. Will anything be accomplished with two parties and a composition that is split nearly in half? Moving beyond partisan politics will be a significant challenge in the Fourteenth Legislature. As the (former) Speaker has said, the election is over. I see an opportunity for the members of the Fourteenth Legislature to show our people that we can work together despite the differing political affiliation. After all, that's all our people ask. Another significant challenge for the Fourteenth Legislature will be to balance our meager resources with the needs associated with rendering public service. The business sector and the people have all been heard saying the government needs to live within its means. Trim the fat. Control your expenditures. It is the Legislature with emphasis on the House of the Representatives that is primarily responsible for passing a balanced budget. I believe we accomplished that in the Thirteenth Legislature. I sincerely hope the Fourteenth Legislature with the new majority will consider doing the same. Before I close, I want to say that I feel truly blessed to have been given another opportunity to serve the people as one of their Representatives for Precinct I. This is an honor and a privilege that every elected official should not take for granted. During the past two years, incidents involving varying degrees of misconduct in the Legislature have caught the public's attention. This resurrected longstanding suspicions and distrust often associated and stereotype with elected officials. Public outcry sounded a call for every elected official to heed; you should hold yourselves to the highest ethical and professional standards and lead by example. We will hold you accountable for your actions and rightly so, because the people deserve no less. Let us, we, the Fourteenth Legislature work to restore public confidence in this highly esteemed institution and regain the trust our people deserve. Thank you and *Si Yu'us Ma'ase*. (Applause)

Rep. Hofschneider: Privilege, Mr. Speaker.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Mr. Speaker, with the distinction of having the Governor of the Commonwealth be present in the House of Representatives. (Applause)

The Chair recognized Rep. Attao.

Rep. Attao: Mr. Speaker Fitial, thank you. My wife, Mona and family members, relatives, friends, reelection committee members join me in extending our sincere and heartfelt congratulation to you as our Speaker for the Fourteenth Commonwealth Legislature, our Vice Speaker, Representative Timothy Pangelinan Villagomez, our Floor Leader, Representative Oscar Mangloña Babauta and members of this august body. *Hafa adai* and good morning, Lieutenant Governor Benavente, Governor Babauta, Father Joseph Billotti, Pastor Norman Scott, Dr. & Mrs. Villagomez, former First Lady, Mrs. Guerrero, Nan Chong, my wife Mona, Associate Judge Lizama, fellow colleagues, family members, relatives, friends, my re-election committee, constituents, distinguish guests, ladies and gentlemen: Today marks an

important era in political history of our great Commonwealth. We just witnessed how democracy works at its best. The composition of this Fourteenth House of Representatives teaches us one good lesson to navigate our journey with cohesiveness, compromise and how many for and in the best interest of our people and communities. The overriding power of this Legislature over the Governor's veto power could be difficult, or worse, impossible. I see at the end of the tunnel the Governor exercising his power of executing executive orders to accomplish his goals and objectives to effectively and efficiently administer our government. As we begin our business in the Fourteenth Legislature, I would like to reflect the major issues that I have raised during my inaugural speeches in the previous Legislatures and the actions that were taken on each issue. The Land Compensation Act has paved the way to compensate the rightful owners of those land parcels taken from the government for public purposes. The long overdue retroactive compensation for the Third Senatorial District employees qualified under P. L. 7-31 have and continue to be paid until the intent and purpose of the enabling law is fully implemented. However, I would like to note that several Saipan projects were delayed to accomplish this issue. I expect that when our economy is better and able to compensate our other employees qualified under P. L. 7-31 from Rota and Tinian that our Saipan & Northern Islands Legislative Delegation be reimbursed the actual sum disbursed to its Third Senatorial District employees. The Desalination Plant Pilot Project for Election Precinct III to bring quality water 24 hours daily to this area has reached its bidding process but has encountered turbulence, which could delay its actual implementation. I want to place everyone under notice that I will continue to lobby to resolve this crucial problem amicably and without further delay. Our people in Election Precinct III deserve quality water service 24 hours daily. Mr. Speaker and my fellow colleagues, we must focus our agenda in improving our ailing economy. We must invite the Executive Branch and our business community to join us in brainstorming sessions to address this economic downfall problem. Through this partnership, I'm optimistic that positive results will occur. With this in mind, I see greater power in rescinding the austerity measure, I see additional funding for our public health services, our Public School System, our public safety, our scholarship, our Northern Marianas College, our Medical Referral Program, our employees salaries and other viable projects and programs. As I conclude my remarks, I want to express my sincere and heartfelt gratitude to my fellow colleagues and counterparts in the Senate, who are not with us in the Fourteenth Legislature namely, Representatives Frank Aldan, Gloria Cabrera, Pete P. Castro, Danny Quitugua, Herman Palacios, Andrew Salas, Manuel A. Tenorio, Stanley Torres, William Torres and Senators Ray Guerrero and David Cing. I salute and thank you all for your support and understanding in making my term a great success, rewarding and an enjoyable one. While I'll miss your company this term, you're always welcome in my office. To those individuals who helped in preparing for this occasion, I say thank you and God bless you all. Further, I extend a sincere heartfelt gratitude to our GOP Officials, GOP Precinct Club Chairman John S. Reyes (Liling) and Club members, my Re-election Committee Chairperson Carmen C. Cabrera, Vice Chairman Francisco Q. Guerrero, Treasurer Debra T. Camacho for your unselfish support during my terms in the CNMI Legislature, House of Representatives. To my people in Precinct III who placed their confidence and trust in me the past election, I say Thank You, *Si Yu'us Ma'ase, Olomwaay, Mésulang and Salamat Po*. To my political contributors, thank you and I ask our Lord to bestow unto you, your family members, and company better health and more power. To those individuals who have failed to vote for me for whatever reason, I ask for your friendship. Lastly, I look forward to better days ahead for and in the interest of our people in the Commonwealth. *Adios* and I pray to our Almighty Lord to bestow unto us His blessing for global peace and a better tomorrow. Thank you and *Si Yu'us Ma'ase*. (Applause)

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta: Thank you, Mr. Speaker. Because of time constraint and a lot of people are waiting for this Inaugural Session to be adjourned, first of all, Mr. Speaker, I wish to extend my sincere appreciation to the many people in Chalan Kanoa and Susupe that have again entrusted myself and Representative Lizama to continue working for them in the halls of the Legislature. With that, *un Dangkulo na Si Yu'us Ma'ase* to all of them. To my family and extended family for your patience and understanding during the last several months and thank you for being with us today. To my distinguished honorable colleagues, my sincere, humble appreciation to all of you for, once again, giving me this opportunity to serve the House as a Floor Leader, *si Yu'us Ma'ase*. To former Speaker Heinz Hofschneider, my heartfelt gratitude for your humbleness, your understanding and for being too keen in addressing us as a former member of the Thirteenth Legislature inclusive of your thoughtfulness is very much appreciated by myself and Representative Norman Palacios. With that, I thank the returning members of the Thirteenth Legislature. I'm looking forward, again, to seeing that cooperation amongst ourselves to benefit our people in the Commonwealth not only to the people who we represent the villages but to the entire people of the Commonwealth. To the CNMI people, I thank each and every one of you for your understanding on the issues that are faced by this Commonwealth. We're here today, all of us, in support of a better tomorrow as most previous speakers have spoken. We will dictate policies that would be carried forth in the near future. We're also humbled to support each and every one of us in this chamber and seek the Administration's cooperation and assistance in carrying out the daily responsibilities of this government. I thank the Administration for their forthright in sitting with the Fourteenth Legislature for a better Commonwealth. Once again, I

thank the people who are present this morning to witness another chapter in the political history of the Commonwealth Fourteenth House of Representatives. I congratulate you, Mr. Speaker, as the Speaker of the Fourteenth Legislature and the same goes to the Honorable Tim Villagomez, Vice Speaker and I personally congratulate each and every one of us here this morning. Again, *Un Dangkulo na Si Yu'us Ma'ase, Olomwaay Reemi para todus hamyo. Buenos dias.* (Applause)

Speaker Fitial: Representative Hofschneider, would you like to yield?

Rep. Hofschneider: I yield, Mr. Speaker, because of time.

The Chair recognized Rep. Lizama.

Rep. Lizama: Thank you, Mr. Speaker. Good morning to every one of you, Father Billotti, Associate Judge Juan T. Lizama, Pastor Scott Norman, Governor Juan Babauta, Lieutenant Governor Diego Benavente, distinguish guests, ladies and gentlemen. Today marks a beginning of a new Legislature, the Fourteenth CNMI Legislature, task with enormous challenge and responsibility under the watchful eyes of the people of the CNMI. Mr. Speaker and my dear colleagues, I am a strong believer that a good beginning will have a good ending. Our major task is to improve the economy, invest in the education of our children, protect our environment and provide essential public service to the people. To achieve these, we must all work together as a unified body and not as a political party. Bi-partisan politics slow down the businesses of the people and make progress unachievable. The people have spoken. They made their choice and now they want us to roll our sleeves and start working for them. I ask that we pledge ourselves to do just that. *Si Yu'us Ma'ase, Olomwaay and Thank you.* (Applause)

The Chair recognized Rep. Maratita.

Rep. Maratita: *Si Yu'us Ma'ase, Mr. Speaker.* Good morning, fellow colleagues, distinguish guests, friends, relatives, ladies and gentlemen. It is indeed a privilege and honor to speak before you today. After much reflection of something I read that a good friend of mine sent me a few years ago, I decided to yield from making a personal statement and instead would like to share with you the following from an anonymous source. It goes something to think about as we bring 2003 to a close and welcome our New Year 2004. We have taller buildings, but shorter tempers; wider freeways, but narrower viewpoints. We spend more, but have less; buy more, but enjoy it less. We have bigger houses and smaller families; more conveniences, but less time. We have more degrees, but less common sense; more knowledge, but less judgment; more experts, but more problems; more medicine, but less wellness. We spend too recklessly, laugh too little, drive too fast, get angry too quickly, stay up too late, get up too tired, read too seldom, watch TV too much and pray too seldom. We have multiplied our possessions, but reduced our values. We talk too much, love too seldom and lie too often. We've learned how to make a living, but not a life. We've added years to life, not life to years. We've been all the way to the moon and back, but have trouble crossing the street to meet the new neighbor. We've conquered outer space, but not inner space. We've done large things, but not better things. We've cleaned up the air, but polluted the soul. We've split the atom, but not the prejudice. We write more, but learn less; plan more, but accomplish less. We've learned to rush, but not to wait. We have higher incomes, but lower morals; more food, but less appeasement; more acquaintances, but fewer friends, more effort but less success. We build more computers to hold information, to produce more copies than ever, but have less communication. We've become long on quantity, but short on quality. These are the times of fast foods and slow digestion; tall men and short caricature; steep profits and shallow relationships. These are the times of world peace, but domestic warfare; more leisure and less fun; more kinds of food, but less nutrition. These are days of two incomes, but more divorce; of fancier houses; but broken homes. These are days of quick trips, disposable diapers and throwaway morality, one night stands, overweight bodies and pills that do everything from cheer, to quiet to kill. It is a time when there is much in the show window, and nothing in the stockroom. Indeed, it is all true. Think about it if you have time. Mr. Speaker and fellow colleagues, may this serve as something to reflect upon. Let us not be afraid to be humble and small in order to serve our people. Distinguished guests, ladies and gentlemen, I thank you all for your presence today. (Applause)

The Chair recognized Rep. Norita.

Rep. Norita: Thank you, Mr. Speaker. Good morning honored guests, attendees, friends, family members and especially my colleagues in the Fourteenth Legislature. This past two years has been a turbulent time for the Legislature and the CNMI as a whole. I want to thank and congratulate the members of the Thirteenth Legislature who have stood by their Oath of Office and have honorably served the Commonwealth and its people. Gentlemen, you have my thank you and I know the people of the Commonwealth have and give you their thank you. You have done honorably. I offer

to my colleagues in the Fourteenth Legislature and to the Administration my commitment and cooperation to work together to represent the best interest of our people and the CNMI. In the spirit of cooperation, I will be the first one to set aside party affiliation for public service. I also know that in any organization there will always be heated discussions as to how our citizens shall be served. I am a believer that there is more than one way to skin a cat that is why I welcome any debate as long as we never lose sight of why we are here and who we must serve. I want to express my humble appreciation to the residents of Precinct IV for giving me the opportunity to represent them in the Legislature. There are many issues affecting our Precinct and I'm confident that with the spirit of cooperation in the Fourteenth Legislature we shall overcome all obstacles. I want to thank my committee members, friends and family who have given a lot of their time and heart in the campaign trail. It was a long six months and without your perseverance and support we will not be here today. I offer you my pledge and obligation to work hard for our Commonwealth, for our people and for our Precinct. Thank you. (Applause)

The Chair recognized Rep. Ogo.

Rep. Ogo: Congratulations once more, Mr. Speaker. As a lawmaker, I just want to say thank you to the Covenant Party, Chairman Plasido Tagabuel, Vincent Calvo, my family and the people of Rota. I also want to give thanks to my committee who successfully gave me this opportunity to make sure that the people of Rota believes in my candidacy during that time. So I give thanks to my committee but before I close, I want to recognize a gentleman before and I want him to please stand before us, Mr. Harry Blalock, please. Let's give him a round of applause. (Applause) Mr. Blalock, thank you. Criticism is very important and it's important for us to work as a team. *Si Yu'us Ma'ase, Olomwaay, Maraming Salamat Po.* (Applause)

The Chair recognized Rep. A. Palacios.

Rep. A. Palacios: Thank you, Speaker Fitial, Reverend Father Joe Billotti, Governor Babauta, Lieutenant Governor Benavente, Washington Representative Tenorio, the Honorable Judge Lizama, fellow Representatives, honored guests, families, friends, ladies and gentlemen. Today is indeed a special and memorable day for all of us and our families as we take our Oath of Office. It also marks the beginning of what will be a challenging and hopefully productive term in the Fourteenth Legislature for all of us. First, I wish to take this opportunity to extend my sincere gratitude to my family for their sacrifices, for their steadfast support, and for their encouragements to serve our community and this great Commonwealth in the Fourteenth Legislature. I'm also grateful to the many friends, supporters and the Republican Party of the CNMI for their support in the last election. I'm equally grateful to the people of Precinct III for the privilege and honor to represent our community, the island of Saipan, and the Commonwealth as a whole in the Fourteenth Legislature, mindful of the enormous responsibilities that come with such privileges and with such honor. Against a backdrop of a static and shrinking economy, we in the Fourteenth Legislature are faced with daunting challenges. Accomplishing more with less will indeed be a formidable task. It will take innovative ideas and ways, but mostly, it will take political will and political fortitude if we are to meet these challenges. Some of the issues and problems that we, in this House, will be looking to address are the stagnant state of our economy, the perennial degradation of our marine environment, the inadequate health insurance, the need to fund and accelerate infrastructure development in our Commonwealth, the need to reform our labor and immigration system, inadequate funding of our educational system, etc., etc. And while there is no question that many of us, if not all of us, will be proposing many ideas in the form of legislation attempting to address the issues, we must always insure that we work towards a long-term solution. We must also be mindful that whatever we propose must be towards tangible results for the benefit of our people and we must forge policies that truly benefit the Commonwealth. I believe and I urge the members to use this as a guiding principle in the Fourteenth CNMI Legislature. Mr. Speaker and fellow members, we, both individually and collectively, must acknowledge the political divide that is the composition of the House of Representatives in the Fourteenth CNMI Legislature and how we transcend this divide and build consensus amongst ourselves will be critically important to whether we succeed in addressing the many problems facing the Commonwealth. I certainly hope that whatever we do and how we proceed and move forward will be based and driven by the issue at hand and not based and driven by political affiliation and/or interests. Lastly, Mr. Speaker, let me also congratulate you on your election to the speakership of the Fourteenth Legislature, and also to the Honorable Representative Timothy Villagomez for election to the Vice Speakership, and to my colleague, the Honorable Oscar M. Babauta to the Floor Leadership. As many have echoed, I was elected to serve the people of the Commonwealth and I will do everything in my power to do just that. Thank you, Mr. Speaker and members. God bless the Commonwealth and God bless America. (Applause)

The Chair recognized Rep. N. Palacios.

Rep. N. Palacios: Thank you, Mr. Speaker. Good afternoon, Father Billotti, Governor Babauta, Lieutenant Governor Benavente, Washington Representative Tenorio, Mayor Tudela, Mayor Borja, Mayor Taisakan and I think Mayor Mangloña is also here, fellow members of this House. I would also like to say good afternoon to all you ladies and gentlemen who are here today and to all those who cannot be with us as well. Before I proceed, I would like to say thank you to all in the Thirteenth Legislature for I have indeed gained great sight from you all. I will sincerely miss those that will not be with us this term. To all the members of the Fourteenth Legislature, I welcome you. I do not have an earth moving speech today so I will not take too much of your time. However, what I would like to point out is that we have to deal with many problems that we are faced with. We need to settle our obligations with CUC, Retirement Fund and to all vendors. We must meet the needs of PSS and the Medical Referral Program. We need to finance DPS so that the public will feel more secured. We also need to think of the public servants that have yet to receive their pay raises as long as six years and meet rising prices of goods, and yes, we have to address even the needs of the businesses. There are more problems that we need to deal with; however, our funds is very little limited. So what should we do? Should we reduce government expense? Yes, I would want to do that but what government expense should we cut – personnel costs? To be honest, I want get reelected doing that but that would certainly prevent my return. Should we increase the revenue collection now? Why don't we put our effort on that first, as it is less painful of the two choices? However, should we need to do both then let's do them but in order to do anything we must come to agreement that we are going to work together to find solutions to these problems and not just amongst ourselves in this House but also we must come to that agreement with the Upper House and with the Administration. There's only so much that the House, or the Senate, or the Administration can do separately, so let's unite in that agreement because without we will not be able to do anything. This is a proven point. Maybe we will not solve all our problems but at least we'll be doing something then. Thank you, *Si Yu'us Ma'ase*. (Applause)

The Chair recognized Rep. Quitugua.

Rep. Quitugua: Thank you, Mr. Speaker. Good afternoon to everyone who are here in this chamber today, to my fellow colleagues in the Fourteenth Legislature, ladies and gentlemen. It is with a deep sense of humility that I officially take on the office of Representative to the Fourteenth Legislature of the Commonwealth of the Northern Mariana Islands, and more specifically for the Third Senatorial District of Saipan, Precinct IV. I accept, too, the great responsibility that comes with this office, and from this moment on solemnly swear to uphold my Oath of Office and to devote my term to hard work and fulfilling my campaign political platform guided by my pledge to put the interests of the people of the Commonwealth first and foremost. The tasks that lie ahead for us are great, but faced with unity and determination they can be accomplished and we will succeed for the greatness of the CNMI. With continued help and continued guidance from our communities we can accomplish our legislative duties to benefit one and all. I look ahead to a fruitful term, to working harmoniously with my colleagues, the Executive Branch, the other government sectors, the private industries, and the CNMI citizenry to ensure a friendly, caring, safe, healthy, clean and prosperous CNMI that we can all be proud of and that will be a beacon for others. My heartfelt appreciation to everyone who, in one way or another, helped placed me in this most honored and privileged position. I hope to prove worthy of your trust and confidence, the very attributes that inspired and motivated me to pursue your representation. *Si Yu'us Ma'ase*. (Applause)

The Chair recognized Rep. Seman.

Rep. Seman: Thank you, Mr. Speaker and honorable members of this body, the Fourteenth Commonwealth Legislature, Governor Babauta, Lieutenant Governor Benavente, Associate Judge Juan T. Lizama, Father Joseph Billotti, Pastor Norman Scott, and honorable guests. It is an honor to be back again in this chamber to begin my 2nd term in office in which the people from Precinct I has given me their vote of approval and getting me reelected to continue working and protecting their common interests. First, please allow me to extend my sincere appreciation to my family and supporters from Precinct I whom I cannot thank enough for their hard work and dedication in making my reelection bid a success. I must mention several people for giving more than 100% of their love, trust and confidence in me. First, to God for guiding me in everything I do. To Mr. Rufin Inos and your family, thank you for having no doubt in me when I asked you to chair my campaign committee. To my parents, most especially my mom who not only gave me your blessing when I told you that I wanted to run a second term but also gave me your unconditional love and support. I just wish that you were here to witness this special day with me. To my *prima*, Babe Aldan, who chaired my fundraising committee despite problems with your health, here I am experiencing this great moment in history and my life without you and my mom around because you have to take care of your illness that you neglected just so that I can first win this election. May my mom's presence give you comfort and hope you recover soon and be back here with us. *Para i tia-hu as Nan Chai* who is always there to fill in my mother's shoes in her absence. To my wife Dorothy and children, thank you for understanding my passion to help others even if it meant sacrificing our financial needs just so that I can give back to the people of this great Commonwealth. And finally to all the rest of my family including my extended family,

friends and supporters, I did not do anything unique during my first term in office but follow my heart and I believe that in doing so, you have stood beside me and given me your full support. Mr. Speaker, this past two years have certainly been a very challenging term not only for me but also for the entire members of the Thirteenth Legislature. When we all came into office the same time as Governor Juan Nekai Babauta and Lieutenant Governor Diego T. Benavente under the Republican Administration, we were already faced with the CNMI's economy at its worst condition. Many have criticized the House of Representatives for not working with the Administration, yet we were able to provide funding for the delivery of essential services to our people. This is where the separation of branches in government was put to work, when the Legislature based its decisions on what we think is right for our people and not necessarily always agreeing to the Administration's requests. There is nothing wrong with that, Mr. Speaker. We had a constitutional responsibility as lawmakers separate from that of the Administration and that we will continue to do. Mr. Speaker, you have been elected by the majority as the new Speaker of the Fourteenth Legislature therefore as I join my fellow colleagues in congratulating you, Representative Villagomez as the new Vice Speaker and Representative Babauta as the new Floor Leader. I am confident that if we put the interests and the needs of our people first, we can never go wrong and only do better during this Fourteenth Legislature. We still have many things that we must do throughout the next two years with very little funding to accomplish such difficult tasks to improve everyone's life here in the CNMI. I want to continue working towards improving the health and welfare of our people. My task as Chairman on the Committee on Health & Welfare in the Thirteenth Legislature was not easy, and there's still more that we must do during this Fourteenth Legislature. I ask every member here to join me in seeking solutions to safeguard the health of the people. Since time is of the essence, I want to welcome the new members of the Fourteenth Commonwealth Legislature. No one said that our job as public servants would be easy. Our revenue continues to decline while the demand for more public services continue to rise. Towards the end of our term in the Thirteenth Legislature, Governor Babauta asked the House to reconsider his Integrated Fiscal Plan in hopes to convince the Legislature to pass a \$228 million budget for FY 2004 by allowing him to increase more taxes. I only ask this distinguished body to consider the consequences and the negative impact this will do to our ailing economy. Let us not drive those businesses that feed us and make sure that our government employees are paid on time. Let us always remember that as long as we have commitment, loyalty, honesty, and respect and remind ourselves that we are no better than our constituents, we will be sure that everyone's life will be better tomorrow. Thank you, *Si Yu'us Ma'ase yan Olomwaay para todus hamyo.* (Applause)

The Chair recognized Rep. Tebuteb.

Rep. Tebuteb: Thank you, Mr. Speaker. Because of time, I would like to keep it very short and allow me to please to express – from my wife Missy, my children and my family would like to express our appreciation and thank you to all the supporters and voters who had reelected me one way or the other most especially to those who voted for me. Also, thank you to the Republican Party with the chairmanship of Mr. Joe Reyes, our Precinct III Committee to Re-elect Chairman John “Liling” Reyes and of course to the Committee to Re-elect Tebuteb, Chairperson Ruth Miles. My family and I would also like to extend our appreciation and thank you to those who did not vote for me in one way but extend our appreciation that your participation is also recognized in that you exercised your right to be part and partake the process where we are all in this democratic process. To all my strong supporters, my very special gratitude to you. Congratulations to the newly elected Officers of the Fourteenth Legislature, congratulations to you, Mr. Speaker, Vice Speaker and Floor Leader. It's honorable of me to extend these congratulations to you. It is also my intent to challenge each one of us who are members of this body to drive forward. It's not about the economy, it's not all about education, it's not all about essentials, it's not all of what we want, but it is what we need to do. Then needs versus wants. Want sometimes equate greed. I challenge each one of us to put your money where your mouth is. Elections are over, now we must do action. I, for one, am committed to continue to do what is right. The Thirteenth Legislature had accomplished a lot of great things. In my involvement with politics, I strongly believe that the Thirteenth Legislature accomplished tremendous work. This Fourteenth body, under your leadership, Mr. Speaker, can do and must do more. Our mission is not impossible. Thank you, Mr. Speaker. (Applause)

The Chair recognized Vice Speaker Villagomez.

Vice Speaker Villagomez: Thank you. Mr. Speaker, distinguished guests, to all my colleagues in the Fourteenth Legislature, ladies and gentlemen. On November 1, 2003, I was voted in by the people of Precinct I to represent them as their Congressman for the next two years. I was humbled then by the results and I am most certainly humbled now to be in front of you and be sworn in as one of its members. During the 2003 campaign season, I spoke with quite a number of my constituents that shared their vision for a better Commonwealth with me, vision of a quality education for their children and grandchildren, vision of a clean and safe environment for their families to grow up in, vision of affordable and quality healthcare and education for all and vision of a safe community. I come before this august body to announce that I, too, share in the same vision and it will be these visions that will guide me for the next two years as I serve the

people of Precinct I and the rest of the Commonwealth. I know that we have problems within our government but this should not deter us from making the decisions that needs to be made to make the lives of the people we serve and the lives of the people of all over the Commonwealth to be better. Ultimately, they will be the judges on our work and they decide whether we remain members of this body. I have been in public service for most of my adult life. I am blessed with parents that saw education to be the key foundation for my life. I have used the knowledge that I learned to make my own small contribution in making our Commonwealth better. Now, I have been given the opportunity to contribute to making a more solid foundation for the people of the CNMI now and for the future. I hold this trust in utmost respect and will do everything in my power to uphold it. To my five other colleagues Precinct I, let us work together to address the issues facing our Precinct. Lastly, I thank all the people of the CNMI, more importantly, the residents of Precinct I for their vote of confidence. To my kids, my brothers, my sisters, my in-laws, my committee to elect and my family for all their hard work during the last couple of months. To mom and dad, thank you and I love you both. Mr. Speaker and members of this Fourteenth Legislature, I open my arms and I open my door to help resolve some of these issues facing the CNMI. Thank you, *Si Yu'us Ma'ase, Olomwaay*. (Applause)

The Chair recognized Rep. Yumul.

Rep. Yumul: Thank you, Mr. Speaker. I will also try to attempt cut my speech short because of time constraints. I know the public is growing anxious to try the wonderful food that has been prepared for us. I would like to submit a portion of my statement, the members' statements that is written in the book to be included as a part of my speech and I would just get down to what we eloquently call the essentials. Basically, I would like to thank my wife sweet pea, my parents, but most especially my father-in-law, the late Antonio Naputi Acosta who was not able to be with us. We spent many times in the evening contemplating of course politics and the community. He did give me a lot of guidance. I guess being the youngest member I should be given this opportunity to let my feelings out so please bear with me. I would also like to thank the family of our former Governor Lorenzo Guerrero. I know they went through a lot of hard times and he, too, is gravely ill and I wish him a speedy recovery. As you can see that politics is not my main forte but...(Applause)...I know everybody will bear with me. It's very hard for me to present myself because oddly as it may seem everyone that I've encountered has given me a lot of guidance and it's no strange fact that I've spent many evenings with some of my Congressmen from Precinct III and they, too, have given me a lot of guidance and advise. I was really pleased and astounded that we were even able to stand side by side during the election day and give each other confidence that no matter what happens we will walk away having a sense of esteem and statesmanship between the candidates. Lastly, again, because I'm extremely nervous, I'd just like to say *Si Yu'us Ma'ase, Olomwaay and Salamat Po*. Again, it's very difficult especially coming from even my own familial background. It was a huge challenge on my part, most especially my family to try to get over certain barriers that I will not speak of because I don't believe that anything is a barrier in society today. So I would like to close by saying thank you to everybody for coming. *Si Yu'us Ma'ase* (Applause)

Speaker Fitial: At this time, I would like to present my statement. I did have a lengthy prepared statement but in the interest of time, I would like to reduce a 12-page to just two pages. Anyway, I would like to greet everybody good afternoon. My statement reads good morning but it's already past that time. So, good afternoon, *Aschumal*, that's the Washington Representative Pete A. Tenorio's name in Carolinian. Good afternoon, Governor Babauta, Lieutenant Governor Benavente, Mayor Tudela, Chairman of the Covenant Party and Tinian Mayor Borja and the lovely wife, Pastor Norman Scott, Reverend Father Joe Billotti, distinguished guests, ladies and gentlemen. I'm just going to try to summarize my 12-paged statement. First of all, to all my colleagues in the Fourteenth Legislature, thank you. I appreciate the opportunity to serve again as your Speaker. It is a responsibility I take very seriously especially at this moment in time because of the great challenges facing our beautiful CNMI. As all of you know or some of you know, four years ago, I outlined a vision for a new CNMI. A CNMI with a thriving economy where people have good jobs and that pays good wages and a CNMI in which every child has access to a world-class education. I said that we could create a better future through a plan I called the four E's. The E's stands for Education, Environment, Essentials and the Economy. Now, four years later, I believe we need to make immediate improvements in these important areas. The first and most important is education. Education at all ages is the key to good paying jobs, entrepreneurship, and a higher standard of living. We need to increase educational opportunities for all children and all adults in the CNMI. We cannot seriously say we care about our future if we do not make a commitment today through educating our children. The second "E" stands for the Environment. We have a solemn responsibility to conserve our beautiful, natural environment. I do not think that means we should not enjoy or use it but we must be mindful that future generations deserve the opportunity to enjoy nature's beauty as much as we do. The third "E" stands for Essentials. Essentials include our infrastructure from transportation and water systems to public delivery of service modules. Essentials are in their name implies things that are vital to our daily lives. They are the things we rely on everyday but that sometimes they get overlooked. The final "E" is the Economy. This is the topic, which really touches all of the other E's. I have a

reputation for talking straight so let me be as direct as possible. We cannot do anything to improve the other E's I just mentioned unless we turn our economy around. It is that simple. We need to revitalize our economy. We must get our economy growing again but before we expand we have to maintain. For example, you would not add a second story to a house if the foundation were weak. Before we grow our economy we make sure the foundation is firm. Our economy's foundation is the Covenant. We must shore up our economic foundation by defending the Covenant from Neo Colonia List in Washington, DC. With a secure foundation, we can build as high as our imagination and spirit will allow. I think we need to implement a number of specific proposals to jumpstart our economy including reforming business licensing and permitting processes to make them more efficient, creating tax incentives to encourage new industries that are less labor intensive and that will help diversify the economy. Forming public/private partnerships to market our economic advantages to potential investors and business and working with the U.S. Congress to make certain our islands get their fair share of federal assistance including grants and business programs. We have to do all these things and more and we need to get moving now. I am sad to say that we are worst off today than we were when I first put forward my four E's plan and this is a fact. However, we have the power to make things better. Yes, all is not well in the Commonwealth of the Northern Mariana Islands. All of us know we have a very serious financial problem – the economy. And we don't need to keep reminding ourselves that we have a problem. We need to work together as public servants to solve this very serious problem that will sooner than later destroy the livelihood of the people of the CNMI especially the poor people in the Commonwealth. I had a brief chat with Governor Babauta and Senate President Joaquin Adriano after the Red Mass last Saturday and I am pleased to inform all of you that we have agreed in principle to put politics aside and work together to help revive the CNMI economy so we can help create wealth and jobs for the people of the Commonwealth. The partition that divides the House and the Senate, which Senate President Paul Mangloña and I opened four years ago but was abruptly shut, will be reopened to allow free access between the House and the Senate in the hope of closer cooperation between these two houses. The joint legislative leadership, leaders of the House and leaders of the Senate will be revived to allow the Senate leadership and the House leadership to meet regularly to consider passage of important legislation. I thank the Governor for agreeing to host the joint legislative committee meetings at the Governor's conference room and I believe we agreed to hold these meetings every Friday. Governor Babauta himself has expressed a closer working relationship between his Administration and the Legislature. And as Speaker of the Fourteenth House of Representatives, I promised the Governor that we will work together with his Administration to help with important legislation to revive the economy and to beautify the CNMI to attract more businesses and visitors to the Commonwealth. As your Speaker, I pledge to work with all of you, both the House and Senate and the Administration to make our beautiful home a better place to live. This wraps up my summary statement. I want to thank all my supporters in Precinct III most especially my wife, all my children and all my families for sticking with me throughout the mid-term election. I want to thank Chairman Plasio Tagabuel, Vice Chairman Greg "Kachuma" Camacho, Emma Villagomez, Miriam Seman, the officers of the Covenant Party. I want to thank my committee to elect members especially Chairman Bill Macaranas for their hard work this past election and most especially, I want to thank all of you for coming to this Inaugural Session today. With that, I would like to proceed to the next item on the Agenda and that is Announcements.

ANNOUNCEMENTS

Speaker Fitial: I would like to take this opportunity to make an announcement and this announcement is in keeping with my legislative leadership tradition. In the interest of cooperation among members of the leadership and also the rest of the House members, I am delegating my full authority and responsibilities as Speaker under Rule XIII concerning the administration of the House of Representatives to the Vice Speaker Timothy Villagomez. The Vice Speaker will have the full authority and responsibility to manage or administer the House under Rule XII of the Official Rules of the House. Also I would like to appoint the Chairman of the Standing Committees: Committee on Ways and Means I hereby appoint Representative Norman Palacios, Chairman; Committee on Natural Resources, Representative Janet Maratita, Chairperson; Committee on Health and Welfare, Representative Crispin Ogo, Chairman; Committee on Education, Representative Justo Quitugua, Chairman; Committee on Judiciary and Governmental Operations, Representative Jesus Lizama, Chairman; Committee on Federal and Foreign Relations, Representative Claudio Norita, Chairman; Committee on Commerce and Tourism, Representative Ray Yumul, Chairman and finally, Committee on Public Utilities, Transportation and Communications, Vice Speaker Timothy Villagomez, Chairman. I would like to extend the invitation of the House to all of you who are present today to participate in the reception following the adjournment of this Inaugural Session. With that, I'd like to call upon Pastor Scott Norman to give us the Benediction. Please rise.

BENEDICTION

Pastor Scott Norman gave the Benediction.

ADJOURNMENT

Speaker Fitial: Please be seated. Before we proceed to adjournment, I would like to ask all the members after adjournment to please come forward so that we can have our picture taken. This is very important if we want to be in the history book. So at this time, I would like to entertain a motion for adjournment, Floor Leader.

Floor Leader Babauta: Mr. Speaker, before I do that, on behalf of every member of the House, I wish to take this opportunity and thank the hardworking people of the Legislative Bureau that are charged with the affairs of today's Inauguration and to all those volunteer individuals that have put together a beautiful ceremony this morning on behalf of the members. With that, Mr. Speaker, I move to adjourn subject to the call of the Chair.

The motion was seconded and carried by voice vote.

Speaker Fitial: Motion carries. The House stands adjourned subject to the call. (Applaud)

The House adjourned at 12:48 p.m.

Respectfully submitted,

/s/ Lavidia S. Palacios, Journal Clerk
House of Representatives



House Journal

FIRST REGULAR SESSION, 2004

First Day

February 9, 2004

The House of Representatives of the Fourteenth Northern Marianas Commonwealth Legislature convened in its **First Day, First Regular Session**, on **Monday, February 9, 2004**, at **10:08 a.m.**, in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Benigno R. Fitial, Speaker of the House, presided.

A moment of silence was observed.

The Clerk called the roll. Sixteen members were recorded present; Representative **Oscar M. Babauta** was excused and Representative **Martin B. Ada** came in late.

Speaker Fitial: A quorum is duly constituted for the First Day of our First Regular Session. All those members absent are excused.

ADOPTION OF JOURNALS

Organizational Session, January 12, 2004

Acting Floor Leader Norita moved for the adoption of the Organizational Session Journal and was seconded by two others.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Again, Mr. Speaker, with the members who wish to go over the journal and be allowed to clarify their statements on the Organizational Session as required, if there's no objection.

There was no objection.

Speaker Fitial: With no objection, I would allow the members to review their respective statements in the journal of our Inaugural Session and if they have any changes, I would like to ask them that they just directly refer them to the House Clerk for correction, if necessary.

Rep. Hofschneider: And with that, Mr. Speaker, may I ask if our recording system is back in order or repaired? There's so many inaudible and not recorded during the Inaugural Session. Is it fixed? It's not about complaining. It's about recording. It's legislative history. Thank you.

There was no further discussion; the motion to adopt the Organizational Session Journal was carried by voice vote.

Speaker Fitial: Okay. With that, let's move on to Item 3, Prefiled and Introduction of Bills.

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 14-001: A Bill for an Act to appropriate available funds from the 702 CIP Covenant Funding for certain Capital Improvement Projects in FY 2003; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and seven others

Referred to: Committee on Ways & Means

H. B. NO. 14-002: A Bill for an Act to appropriate \$1,500,000 from the account balance of the Development Banking Division Asset Account of CDA for various CIP Projects in the Three Senatorial Districts, and for other purposes.

Offered by: Rep. David M. Apatang and four others
Referred to: Committee on Ways & Means

H. B. NO. 14-003: A Bill for an Act to complement enforcement of Public Law 13-15 (Tobacco Master Settlement Model Escrow Statute), and for other purposes.

Offered by: Rep. Benjamin B. Seman and two others
Referred to: Committee on Health & Welfare

H. B. NO. 14-004: A Bill for an Act to help reduce inhalant abuse of toxic fumes and vapors by children by amending the Inhalant Abuse Prevention Act of 1995 (Public Law 9-65); and for other purposes.

Offered by: Rep. Benjamin B. Seman and two others
Referred to: Committee on Health & Welfare

H. B. NO. 14-005: A Bill for an Act to define the offense of abuse of family and household members, establish corresponding penalties, and for other purposes.

Offered by: Rep. Benjamin B. Seman and two others
Referred to: Committee on Health & Welfare

H. B. NO. 14-006: A Bill for an Act to criminalize and punish the conduct of stalking; and for other purposes.

Offered by: Rep. Benjamin B. Seman and two others
Referred to: Committee on Health & Welfare

H. B. NO. 14-007: A Bill for an Act to address the nursing discipline in the nursing licensure process by repealing 1 CMC § 2643 and 3 CMC §§ 2301 through 2372 in their entirety and by amending Division 2 of Title 3 of the Commonwealth Code to add a new chapter 3 setting forth the Nurse Practice Act of 2003; and for other purposes.

Offered by: Rep. Benjamin B. Seman and two others
Referred to: Committee on Health & Welfare

H. B. NO. 14-008: A Bill for an Act to appropriate all monies deposited in the Tobacco Control Fund from Public Law 13-38; and for other purposes.

Offered by: Rep. Benjamin B. Seman
Referred to: Committees on Ways & Means and Health & Welfare

H. B. NO. 14-009: A Bill for an Act to establish the Commonwealth Respite Services Program; to designate the CNMI Council on Developmental Disabilities as the program administering authority; and to provide for community respite services programs.

Offered by: Rep. Benjamin B. Seman and four others
Referred to: Committee on Health & Welfare

H. B. NO. 14-010: A Bill for an Act to create a marine reserve area on Tinian extending from the north point of the municipal breakwater to Puntan Diablo Point; and for other purposes.

Offered by: Rep. Norman S. Palacios
Referred to: Committee on Natural Resources

H. B. NO. 14-011: A Bill for an Act to appropriate Five Hundred Seventh-Five Thousand Dollars (\$575,000.00) from the Saipan Trust Fund, which was originally established as the “Special Deposit Fund,” and is presently managed by the Marianas Public Land Trust (MPLT) on behalf of the United States Navy for lands uses on Tinian and Saipan during the Trust Territory period, for the designing, engineering, and construction and curator of a Tinian Museum and the purchase of Nuestra Senora de la Concepcion artifacts; and for other purposes.

Offered by: Rep. Norman S. Palacios
Referred to: Committee on Ways & Means

H. B. NO. 14-012: A Bill for an Act to authorize the commercial operation of amusement machines at the airports and seaports of the Commonwealth of the Northern Mariana Islands; to waive the applicable license fees for amusement machines owned or operated by Commonwealth Ports Authority at the airports and seaports of the Commonwealth; and to waive any restriction regarding the maximum number of amusement machines that the Commonwealth Ports Authority may own or operate at the public airports and seaports of the Commonwealth; and for other purposes.

Offered by: Rep. Norman S. Palacios
Referred to: Committee on Ways & Means

H. B. NO. 14-013: A Bill for an Act to amend 4 CMC §§ 1939(a) and 1940, of the Developer Infrastructure Tax Act; and for other purposes.

Offered by: Rep. Norman S. Palacios
Referred to: Committee on Ways & Means

H. B. NO. 14-014: A Bill for an Act to amend 9 CMC § 2104, by amending subsection 6, adding a new subsection 7, and changing the descending numbers respectively.

Offered by: Rep. Claudio K. Norita
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-015: A Bill for an Act to create and establish the Office of Homeland Security in the Governor’s Office and for other purposes.

Offered by: Rep. Claudio K. Norita
Referred to: Committee on Federal & Foreign Relations

H. B. NO. 14-016: A Bill for an Act to transfer to the Commonwealth Ports Authority the title and ownership of certain public lands near the Port of Saipan for port development and port-related support facilities; and for other purposes.

Offered by: Rep. Claudio K. Norita
Referred to: Committee on Natural Resources

H. B. NO. 14-017: A Bill for an Act to re-appropriate fund balance from Public Law 11-79 for various road projects in Precinct I, and for other purposes.

Offered by: Rep. David M. Apatang and six others
Referred to: Committee on Ways & Means

H. B. NO. 14-018: A Bill for an Act to amend 9 CMC § 2106 mandating that License Plates be placed on both the Front and Rear of vehicles; and for other purposes.

Offered by: Rep. Claudio K. Norita and four others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-019: A Bill for an Act to amend 9 CMC § 8101 (a) and § 6102, relative to Accident Report Requirements; and for other purposes.

Offered by: Rep. Claudio K. Norita and five others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-020: A Bill for an Act to amend Section 4 (d) of the Land Compensation Act of 2002 P. L. 13-17; and for other purposes.

Offered by: Rep. Janet U. Maratita and eight others
Referred to: Committee on Natural Resources

H. B. NO. 14-021: A Bill for an Act to repeal and reenact Chapter 2 of Division 7 of Title 2 of the Commonwealth Code, (Zoning Code of the Commonwealth of the Northern Mariana Islands); and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and eight others
Referred to: Committees on Natural Resources and Commerce & Tourism

H. B. NO. 14-022: A Bill for an Act to repeal Title 3 Division 4 Chapter 6 § 4602 in its entirety; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and six others
Referred to: Committees on Judiciary & Governmental Operations and Commerce & Tourism

H. B. NO. 14-023: A Bill for an Act to mandate the CNMI government to compensate locally registered and licensed business establishments, taxpayers and contractors, etc., interest and penalty for late payment of billing, tax refund and rebate; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and six others
Referred to: Committee on Ways & Means

H. B. NO. 14-024: A Bill for an Act to authorize the Department of Finance to establish a surcharge fee on local exchange telephone service and wireless service to fund a CNMI wide “911” Emergency System; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and seven others
Referred to: Committee on Ways & Means

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Thank you, Mr. Speaker. Some of these bills, Mr. Speaker and members, were introduced in the Thirteenth Legislature but for reasons that were vetoed primarily because of the contested leadership in the Senate.

H. B. NO. 14-025: A Bill for an Act to amend the Tax Code, specifically Title 4, Division 9, Chapter 8, by adding a new § 1818 that provides the Secretary of Finance with waiver authority for reasonable cause or in the event of an unforeseeable circumstance; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider and seven others
Referred to: Committee on Ways & Means

H. B. NO. 14-026: A Bill for an Act to establish a public corporation for hospital services known as The Commonwealth Hospital Corporation; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider and seven others
Referred to: Committee on Health & Welfare

H. B. NO. 14-027: A Bill for an Act to provide for a nonrefundable tax credit for cash expenditures made by the teachers during the tax year for books or instructional materials to be used in the classroom; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider and seven others

Referred to: Committee on Education and Ways & Means

H. B. NO. 14-028: A Bill for an Act to amend Chapter 2 under Title 9 of the Commonwealth Code to require the passage and completion of a driver education course as a prerequisite for the issuance of operator's license for all persons applying from foreign jurisdictions, and applying for the first time for license within the jurisdiction of the United States; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider and seven others
Referred to: Committee on Judiciary & Governmental Operations

Rep. Hofschneider: And also, Mr. Speaker and members, because of the recent article in our local media:

H. B. NO. 14-029: A Bill for an Act to prohibit the cruel treatment of animals, to provide for penalties; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider and three others
Referred to: Committee on Health & Welfare

H. B. NO. 14-030: A Bill for an Act to raise the minimum wage and to eliminate certain statutory requirements imposed on employees; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider seven others
Referred to: Committee on Ways & Means

H. B. NO. 14-031: A Bill for an Act to amend 2 CMC § 4323: to require the Marianas Public Land Authority to grant title to public land for qualified individuals who demonstrated fifteen (15) years of continuous and actual occupancy of public land, but did not receive such title despite being qualified because of their exclusion from the list of qualified persons established by MPLA; to mandate that MPLA review all past and pending claims and grant such title to qualified individuals; to amend 2 CMC § 4324 to extend the time limitation for new claims made pursuant to 2 CMC § 4323 from twelve (12) to twenty-five (25) years; and for other purposes.

Offered by: Rep. David M. Apatang and two others
Referred to: Committee on Natural Resources

The Chair recognized Rep. Lizama.

Rep. Lizama: Thank you, Mr. Speaker. I have several unnumbered bills and with no objection, without reading the title of the bill, Mr. Speaker, I would like to hand it over to the House Clerk for numbering, Mr. Speaker.

Rep. Attao: Objection, Mr. Speaker. He has to read the title of the bill, Mr. Speaker.

Speaker Fitial: That's why he's asking if there's no objection.

Rep. Attao: Objection.

Speaker Fitial: So with objection, Representative Lizama, just read the title.

Rep. Lizama: There are twenty-one bills, Mr. Speaker.

Rep. Hofschneider: Mr. Speaker, may I offer a solution? If he can hand it over to the clerk for numbering and then just introduce it as House Bill number such and such will be facilitating it.

Speaker Fitial: It's really up to you. You want to hand it in or you want to go ahead and read the title?

Rep. Lizama: I'll just submit it for numbering, Mr. Speaker.

Speaker Fitial: Okay.

Rep. Lizama: Thank you.

The Chair recognized Rep. Quitugua.

H. B. NO. 14-050: A Bill for an Act to extend the application of executive branch travel and per diem compensation rates to PSS.

Offered by: Rep. Justo S. Quitugua and two others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-051: A Bill for an Act to amend Section 5 of Public Law 13-13 by re-appropriating \$400,000 from Public Law No. 13-13 to fund road improvement projects in Precinct IV Saipan and renovation and improvement of the Susupe Beach Park; and for other purposes.

Offered by: Rep. Justo S. Quitugua and two others
Referred to: Committee on Ways & Means

H. B. NO. 14-052: A Bill for an Act to provide permitting and regulatory authority over beachside activities; and for other purposes.

Offered by: Rep. Arnold I. Palacios and six others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-053: A Bill for an Act to amend Public Law No. 11-63, to allow the removal of seaweed, and sea grass on the hotel beach fronts of Saipan; and for other purposes.

Offered by: Rep. Arnold I. Palacios and six others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-054: A Bill for an Act to establish an Office of Highways within the Department of Public Works; and for other purposes.

Offered by: Rep. Arnold I. Palacios and six others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-055: A Bill for an Act to re-appropriate a portion of the remaining fund balance from P. L. No. 11-119 and S. L. D. R. 12-2; and for other purposes.

Offered by: Rep. Arnold I. Palacios and six others
Referred to: Committee on Ways & Means

H. B. NO. 14-056: A Bill for an Act to designate the Department of Lands and Natural Resources as the administering authority over those islands protected under NMI Const. Art. XIV, § 2.

Offered by: Rep. Arnold I. Palacios and six others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-057: A Bill for an Act to re-appropriate fund balance from Public Laws 10-38, 11-79 and 11-111; and for other purposes.

Offered by: Rep. Arnold I. Palacios
Referred to: Committee on Ways & Means

H. B. NO. 14-058: A Bill for an Act to provide a tax credit for contributions made to qualifying sports organizations; and for other purposes.

Offered by: Rep. Ramon A. Tebuteb and six others
Referred to: Committee on Ways & Means

H. B. NO. 14-059: A Bill for an Act to amend 2 CMC §§ 4323 and 4324(c) (Homestead Waiver Act); and for other purposes.

Offered by: Rep. Ramon A. Tebuteb and six others
Referred to: Committee on Natural Resources

H. B. NO. 14-060: A Bill for an Act to require all signs to feature English as the dominant language; and for other purposes.

Offered by: Rep. Ramon A. Tebuteb and six others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-061: A Bill for an Act to extend to two years the privilege of having non-resident workers with special skills and qualifications to fill hard-to-fill vacant positions within the Public School System in the areas of Special Education and foreign language; and for other purposes.

Offered by: Rep. Ramon A. Tebuteb and five others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-062: A Bill for an Act to appropriate One Million Eight Hundred Thousand Dollars for the construction of Headstart Centers and additional classrooms for the public schools; and for other purposes.

Offered by: Rep. Ramon A. Tebuteb and seven others
Referred to: Committee on Ways & Means

Rep. Tebuteb: With this last bill, Mr. Speaker and members, with no objections, I'd like to place it on the day's calendar for passage.

There was no objection.

H. B. NO. 14-063: A Bill for an Act to repeal Public Laws 11-69 and 12-59; and for other purposes.

Offered by: Rep. Ray N. Yumul (By request)
Referred to: Committees on Judiciary & Governmental Operations and Commerce & Tourism

H. B. NO. 14-064: A Bill for an Act creating a labor survey task force to conduct a comprehensive survey of labor positions occupied by both resident and nonresident workers in the public and private sectors and recommend necessary changes to the Nonresident Workers Act, applicable rules and regulations and policies; and for other purposes.

Offered by: Rep. Ray N. Yumul
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-065: A Bill for an Act to establish an Office of Foreign Investment Assistance within the Department of Commerce and to set forth its duties and responsibilities; to amend 4 CMC §§ 5941(a) and 5951(a); and for other purposes.

Offered by: Rep. Ray N. Yumul
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-066: A Bill for an Act to enact a new Banking Code for the Commonwealth; and for other purposes.

Offered by: Rep. Ray N. Yumul
Referred to: Committee on Commerce & Tourism

H. B. NO. 14-067: A Bill for an Act to establish a local fund for each Senatorial District into which local revenues shall be deposited; and for other purposes.

Offered by: Rep. Jesus T. Attao and four others
Referred to: Committee on Ways & Means

H. B. NO. 14-068: A Bill for an Act to regulate the Land Exchange Program; and for other purposes.

Offered by: Rep. Jesus T. Attao and four others
Referred to: Committee on Natural Resources

H. B. NO. 14-069: A Bill for an Act to extend the hours for certain on-sale premises as defined in 4 CMC Division 5; and for other purposes.

Offered by: Rep. Jesus T. Attao and four others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-070: A Bill for an Act to impose liability and responsibility on non-resident workers for causes arising from personal acts; and for other purposes.

Offered by: Rep. Jesus T. Attao and four others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-071: A Bill for an Act to establish the funding for Youth and Man Amko program and activities; and for other purposes.

Offered by: Rep. Jesus T. Attao and four others
Referred to: Committee on Ways & Means

H. B. NO. 14-072: A Bill for an Act to reprogram \$100,000 from Section 2(3) of Public Law 13-10; and for other purposes.

Offered by: Rep. Jesus T. Attao and four others
Referred to: Committee on Ways & Means

Rep. Attao: Mr. Speaker, if there's no objection, I would like to place the last bill on the day's calendar for action.

Speaker Fitial: Objection. I would like to ask that we refer these bills first to the committees so that the committees can review them so we can have a committee report submitted to the House for consideration.

Rep. Hofschneider: May be recognized?

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Is it then the House Rule that all bills are to be passed now with a committee report? Is it a policy of the House then?

Speaker Fitial: No. I would like to ask that all bills be referred first to respective committees and then a committee report will follow before any final action be taken.

Rep. Hofschneider: So it would be the House policy? Okay.

Rep. Attao: Thank you, Mr. Speaker.

Speaker Fitial: Thank you. Representative Hofschneider.

Rep. Hofschneider: Mr. Speaker, our good Floor Leader is absent today and I had an agreement with him that he may introduce a bill that I introduced in the past. It's been long awaited by the SEDC and the Saipan Chamber of Commerce. I believe it's the Limited Liability Partnership Act. Again, let's go over the exercise and introduce it. I hope the Senate will do the act of passing it.

H. B. NO. 14-073: A Bill for an Act to amend Division 4 of Title 4 of the Code by adding a new Part entitled Business Partnerships; to adopt the Uniform Liability Act (1997) as drafted by the National Conference of Commissioners on Uniform State Laws; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider
Referred to: Committee on Commerce & Tourism

Speaker Fitial: Vice Speaker, you have any bills to introduce?

Vice Speaker Villagomez: Not today, Mr. Speaker.

H. L. B. NO. 14-01: A Local Bill for an Act to fund various improvements at the Capitol Hill Park in Precinct IV, Saipan by re-appropriating the sum of \$110,000.00 previously appropriated under S. L. L. No. 13-14. [First Appearance]

Offered by: Rep. Justo S. Quitugua and two others

Speaker Fitial: Let the record show that Congressman Martin Ada is now present.

Rep. Ada: Thank you, Mr. Speaker.

H. L. B. NO. 14-02: A Local Bill for an Act to appropriate \$145,000.00 from the Developer Infrastructure Tax Fund; and for other purposes. [First Appearance]

Offered by: Rep. David M. Apatang and five others

H. L. B. NO. 14-03: A Local Bill for an Act to appropriate the sum of \$20,345.00 from the fees collected from the Bingo, Batu and cockfighting; and for other purposes. [First Appearance]

Offered by: Rep. David M. Apatang and five others

H. L. B. NO. 14-04: A Local Bill for an Act to appropriate \$20,000 for the CNMI Agricultural Fair to be held on Saipan in May 2004 from the special account under 10 CMC § 3617. [First Appearance]

Offered by: Rep. Janet U. Maratita and five others

H. L. B. NO. 14-06: A Local Bill for an Act to appropriate \$20,000.00 from the fees collected under the Saipan Local Law 11-2; and for other purposes. [First Appearance]

Offered by: Rep. Martin B. Ada

Rep. Ada: The purpose of the bill is actually to send six of our best Oceana tournament participants I accompanied last month to Palau. Ray Brown, who was the San Padres professional baseball player, took the privilege to pick six of our CNMI participants. It is an historical event for us. The training will take place in Australia in June so I ask the support of all the Saipan Delegates and also our sisters from Rota and Tinian for this historical event.

Rep. Hofschneider: Is that a local bill?

Rep. Ada: Yes. Thank you, Mr. Speaker.

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 14-002: A House Resolution congratulating the Environmental Interagency Cleanup/Restoration Operation Team (EICOT) and its affiliated non-profit organizations like the MOVERS, the KAMPIL, the BICOL, composed of common laborers by sacrificing their Weekend off days and without compensation happily working together to Ensure a healthy, safe and clean environment for all citizens of the CNMI to enjoy a most pleasant environment.

Offered by: Rep. Benjamin B. Seman and two others

Rep. Seman: With all due respect, I'd also like to request that this resolution be placed on the day's calendar for adoption.

There was no objection.

H. R. NO. 14-003: A House Resolution requesting the Honorable Juan N. Babauta, Governor, Commonwealth of the Northern Mariana Islands, the Honorable Pedro A. Tenorio, CNMI Resident Representative to the United States, and the Honorable David Cohen, Deputy Assistant Secretary for Insular Affairs, to seek the assistance of the United States Congress, to make apparel manufacturing in the Northern Marianas globally competitive by making necessary amendments to General Note 3(a)(iv)(A) of the Harmonized Tariff Schedule of the United States to increase the maximum allowable value of foreign materials content from 50 percent to 70 percent on all goods, including those described in section 213(b) of the Caribbean Basin Economic Recovery Act, as amended, for purposes of duty exemption.

Offered by: Rep. Claudio K. Norita and eight others

Rep. Quitugua: I'd like to request that the House Clerk number these resolutions and be placed on the day's calendar for adoption.

H. R. NO. 14-004: A House Resolution requesting that the Board of Education and the Commissioner of Education conduct a comprehensive study on the feasibility of establishing the Marianas High School as a model for a technical high school.

Offered by: Rep. Justo S. Quitugua and ten others

H. R. NO. 14-005: A House Resolution to congratulate Juan Ilisari Quitugua for his nomination to participate in the 2004 International Mission on Education in Australia and to acknowledge his exceptional academic achievement.

Offered by: Rep. Justo S. Quitugua and eleven others

Speaker Fitial: I would like to allow the members to introduce resolutions before we entertain suspension motions to place these resolutions on today's calendar for adoption, if there's no objection.

There was no objection.

H. R. NO. 14-006: A House Resolution recognizing and congratulating Miss Remylyn Julene Guerrero for being crowned Miss Teen CNMI Beauty Pageant 2003 Queen on April 12, 2003, and Second Runner Up in the Miss Antillas 2003 on October 18, 2003, in Caracas, Venezuela.

Offered by: Rep. Janet U. Maratita

Rep. Maratita: I'd like to ask the indulgence of the House to place this on the day's calendar for adoption. Thank you.

There was no objection.

H. R. NO. 14-007: A House Resolution to congratulate Juan Pan Tenorio Guerrero for his outstanding contributions to the Commonwealth of the Northern Mariana Islands.

Offered by: Rep. Timothy P. Villagomez and thirteen others

H. R. NO. 14-008: A House Resolution to adopt the amended Rules for the House of Representatives, attached herewith as Appendix "A"; and for other purposes.

Offered by: Rep. Timothy P. Villagomez

Vice Speaker Villagomez: I'd also like to have both resolutions be placed on the calendar for adoption.

There was no objection.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Mr. Speaker, when it comes to the House Rules, may we have sufficient time to read any amendments thereabouts?

Speaker Fitial: I plan to call a short recess so that copies of these amendments to the House Rules be reproduced and distributed to all the members.

Rep. Hofschneider: Thank you.

H. R. NO. 14-009: A House Resolution respectfully requesting the 108th United States Congress to provide for a nonvoting delegate in the House of Representatives to represent the Commonwealth of the Northern Mariana Islands (CNMI).

Offered by: Rep. Claudio K. Norita and seven others

Speaker Fitial: Do you wish those resolutions to be calendared?

Acting Floor Leader Norita: I wish it to be calendared, Mr. Speaker.

There was no objection.

H. J. R. NO. 14-01: A House Joint Resolution urging the Governor Juan N. Babauta to prioritize Federal Highway Funds for the reconstruction of Chalan Tun Herman Pan (Airport Road).

Offered by: Rep. Arnold I. Palacios and five others

Rep. A. Palacios: Mr. Speaker, I would also like to ask for the indulgence of the members to put this joint resolution on the calendar.

There was no objection.

Speaker Fitial: So ordered. Any further introduction of resolutions? If none, I would like to ask the Floor Leader at this time to effectuate the motion to suspend the pertinent rules, Rule VII, Section 9 to do away with the requirement of a written committee report so that all the resolutions that were introduced and asked to be placed on the day's Resolution Calendar for adoption be placed on the day's calendar.

Acting Floor Leader Norita: So moved.

Rep. Attao: A subsidiary motion to that motion, Mr. Speaker, to include...

Speaker Fitial: Any second to that motion?

The motion was seconded.

The Chair recognized Rep. Attao.

Rep. Attao: ...to include Rule IX, Sections 9, 10 and 11 for the adoption of all the resolutions.

Speaker Fitial: Rule IX, Sections 9 and 10 only pertains to bills.

Rep. Attao: And resolutions.

Speaker Fitial: Rule IX only pertains to bills.

Rep. Deleon Guerrero: Clarification, Mr. Speaker.

Speaker Fitial: First and Second Reading. Anyway, the bottom line is that all the resolutions that were introduced and asked that they be placed on today's Resolution Calendar for adoption – there's a motion on the floor that is suspending the pertinent Rules, Rules VII, Section 9. Discussion on the motion.

There was no further discussion, and the motion was carried by voice vote.

Speaker Fitial: Motion carries. So all those resolutions introduced be placed on today's Resolution Calendar for adoption. At this time, I would like to call for a short recess so that copies of these resolutions be reproduced and distributed to all the members.

Rep. Hofschneider: Before you call a recess, Mr. Speaker, may we go back to Prefiled and Introduction of Bills so Representative Lizama can officially introduce all the bills as numbered?

Rep. Lizama: No, I think, Mr. Speaker, you said that it's going to be referred to – it's up to you, Mr. Speaker. Refer it to respective committee.

Speaker Fitial: Okay. Short recess.

The House recessed at 10:38 a.m.

RECESS

The House reconvened at 11:20 a.m.

Speaker Fitial: The House session shall reconvene. Before we went on recess we voted on the suspension motion to allow all the resolutions introduced this morning to be placed on the calendar for adoption. Copies have been reproduced and distributed to every member. So, let's proceed with our order of business Item 5, Messages from the Governor.

MESSAGES FROM THE GOVERNOR

GOV. COMM. 14-001 – [1/22/04] – Informing the Legislature that he disapproved H. B. NO. 13-277, HD2, SD1 (Headstart Centers Appropriation), H. B. NO. 13-130, HS1, SD1 (Youth Congress Revision Act), H. B. NO. 13-334 (DPW Nonresident Worker Hiring Ext.).

GOV. COMM. 14-002 – [1/28/04] – Informing the Legislature that he disapproved H. B. NO. 13-136 (\$2M appropriation under PL 12-64).

GOV. COMM. 14-003 – [2/2/04] – Informing the Legislature that he signed H. L. B. NO. 13-046 (Appropriating \$25,461 from local gaming fees for shipping cost of heavy equipment from Guam), into **Saipan Local Law 13-20**.

GOV. COMM. 14-004 – [2/2/04] – Informing the Legislature that he signed H. L. B. NO. 14-048, S1 (Saipan Higher Education Financial Assistance Act), into **Saipan Local law 13-21**.

GOV. COMM. 14-005 – [1/29/04] – Soliciting the Legislature's assistance and support in passing a legislation that would resolve the issues surrounding the Outer Cove Marina.

Speaker Fitial: The first four messages from the Governor are information. The fifth message from the Governor – I would like to refer this communication over to the Committees on Commerce & Tourism and Natural Resources. Both Committees should look into this communication and jointly come up with a report.

SENATE COMMUNICATIONS

SEN. COMM. 14-001: Transmittal of S R. NO. 14-1, recognizing the Honorable Lorenzo I. Deleon Guerrero, which was adopted by the Senate on January 12, 2004. [For information]

There was no discussion.

HOUSE COMMUNICATIONS

None

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT. & AGENCY COMM. 14-001 – [1/2/304] – From NMC President Kenneth Wright submitting to the Fourteenth Legislature the business plan and financial projections for the Pacific Gateway Project.

Speaker Fitial: I want to assign this communication to the Committee on Education for review and also report to the House upon completion of its review. Representative Hofschneider.

Rep. Hofschneider: Under discussion, is there a report that came with this memo?

Speaker Fitial: I believe there is. Those members who have not received copies of the report, I would like the House Clerk to distribute copies of the report to those members.

Rep. Hofschneider: May we just raise our hands so we don't have to duplicate unnecessarily.

Speaker Fitial: When I received this letter from the college, the letter indicated that all members were given copies of the report because the report was attached to the transmittal letter.

Rep. Hofschneider: Let me check, Mr. Speaker.

Speaker Fitial: But if there are still members who have not received copies of the report, copies of the report will be made available to you upon signifying that you have not received that.

Rep. Hofschneider: It has happened in the past, Mr. Speaker.

Speaker Fitial: Okay. Let's proceed to Item 15, Resolution Calendar.

OTHER COMMUNICATIONS

None

REPORTS OF STANDING COMMITTEES

None

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Speaker Fitial: I believe we have received copies of the resolutions that were introduced this morning, which has been numbered. We'll take a look first at H. J. R. NO. 14-01. Floor Leader, adoption motion.

Acting Floor Leader Norita moved for the adoption of H. J. R. NO. 14-01, was seconded and carried by voice vote.

H. J. R. NO. 14-01: A HOUSE JOINT RESOLUTION URGING THE GOVERNOR JUAN N. BABAUTA TO PRIORITIZE FEDERAL HIGHWAY FUNDS FOR THE RECONSTRUCTION OF CHALAN TUN HERMAN PAN (AIRPORT ROAD).

Speaker Fitial: H. J. R. NO. 14-01 is adopted. H. R. NO. 14-002. Floor Leader.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-002, was seconded and carried by voice vote.

H. R. NO. 14-002: A HOUSE RESOLUTION CONGRATULATING THE ENVIRONMENTAL INTERAGENCY CLEANUP/RESTORATION OPERATION TEAM (EICOT) AND ITS AFFILIATED NON-PROFIT ORGANIZATIONS LIKE THE MOVERS, THE KAMPIL, THE BICOL, COMPOSED OF COMMON LABORERS BY SACRIFICING THEIR WEEKEND OFF DAYS AND WITHOUT COMPENSATION HAPPILY WORKING TOGETHER TO ENSURE A HEALTHY, SAFE AND CLEAN ENVIRONMENT FOR ALL CITIZENS OF THE CNMI TO ENJOY A MOST PLEASANT ENVIRONMENT.

Speaker Fitial: H. R. NO. 14-2 is adopted. H. R. NO. 14-3. Floor Leader.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-3 and was seconded.

H. R. NO. 14-003: A HOUSE RESOLUTION REQUESTING THE HONORABLE JUAN N. BABAUTA, GOVERNOR, COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, THE HONORABLE PEDRO A. TENORIO, CNMI RESIDENT REPRESENTATIVE TO THE UNITED STATES, AND THE HONORABLE DAVID COHEN, DEPUTY ASSISTANT SECRETARY FOR INSULAR AFFAIRS, TO SEEK THE ASSISTANCE OF THE UNITED STATES CONGRESS, TO MAKE APPAREL MANUFACTURING IN THE NORTHERN MARIANAS GLOBALLY COMPETITIVE BY MAKING NECESSARY AMENDMENTS TO GENERAL NOTE 3(A)(IV)(A) OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES TO INCREASE THE MAXIMUM ALLOWABLE VALUE OF FOREIGN MATERIALS CONTENT FROM 50 PERCENT TO 70 PERCENT ON ALL GOODS, INCLUDING THOSE DESCRIBED IN SECTION 213(B) OF THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT, AS AMENDED, FOR PURPOSES OF DUTY EXEMPTION.

Speaker Fitial: Discussion. Representative Hofschneider.

Rep. Hofschneider: With all due respect, Mr. Speaker, may I ask the author what is meant by line 13 on page 2? What is foreign value content in definition terms?

The Chair recognized Acting Floor Leader Norita.

Acting Floor Leader Norita: What is happening is in regards to WTO's...

Rep. Hofschneider: I need the definition, Mr. Speaker.

Speaker Fitial: Pardon.

Rep. Hofschneider: The definition.

Speaker Fitial: Definition?

Rep. Hofschneider: What is meant by foreign value content?

Acting Floor Leader Norita: The foreign content is the percentage of raw materials or materials to be brought in to the United States or its territories with regards to the – we're asking to increase that amount from 50 percent, which is pending amount to 70 percent.

Rep. Hofschneider: What is meant by that is what I'm driving at.

Acting Floor Leader Norita: It's materials imported in and combined with local materials to make the amount to be brought in.

Speaker Fitial: Okay. I know the definition so can we supply you the definition later?

Rep. Hofschneider: Yes, Mr. Speaker.

Speaker Fitial: Further discussion?

Rep. Hofschneider: Mr. Speaker, technically speaking, it would really be a tremendous boost to the apparel industry to reduce the man-hours of cutting and sewing by having it cut outside the Commonwealth so that would generate profitability and good standing to compete with regional apparel industries that have favorable conditions under Headnote 3 and WTO. But what does that translate in terms of the profitability of the Commonwealth as a whole? We're asking the U. S. Congress to look into Headnote 3(A) privilege, which is really good for the Commonwealth if we have that mentality and philosophy to insure the survival of garment industry here in the Commonwealth. That's the basic precepts of this resolution but let's not kid ourselves. What does it translate in terms of the whole Commonwealth the viability of the industry itself by now having increased the profitability having it cut outside, you reduce the man-hour to have it cut here and sew it. It boosts the profitability. What does that translate economically speaking for the people of the Commonwealth is what I'm driving at because we're asking the U. S. Congress to look in the Headnote 3(A) provision in the Covenant and God forbid that there'll be a rider that comes with touching the Headnote 3(A)? There's no assurance. Congressman Miller's still around and others that are looking at us constantly. This is a good faith in our part to ensure that the survival of the garment industry will continue. Nobody's questioning that. But logically we're also adopting another resolution asking for delegate status and when you tinker with the Covenant, there may be a baggage that we did not expect. That's all, Mr. Speaker. Thank you.

Speaker Fitial: The resolution originally was drafted to seek the assistance of the U. S. Congress directly. But since we have promised the Governor to work together, this resolution is requesting the Governor to initiate the assistance.

Rep. Hofschneider: I agree with you.

There was no further discussion, and the motion to adopt H. R. NO. 14-3 was carried by voice vote.

Speaker Fitial: H. R. NO. 14-003 is adopted. H. R. NO. 14-4. Floor Leader.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-4 and was seconded.

H. R. NO. 14-004: A HOUSE RESOLUTION REQUESTING THAT THE BOARD OF EDUCATION AND THE COMMISSIONER OF EDUCATION CONDUCT A COMPREHENSIVE STUDY ON THE FEASIBILITY OF ESTABLISHING THE MARIANAS HIGH SCHOOL AS A MODEL FOR A TECHNICAL HIGH SCHOOL.

Speaker Fitial: Discussion. Representative Hofschneider.

Rep. Hofschneider: I want to recommend, Mr. Speaker, that this resolution be turned into a legislation establishing a technical school. This is a matter of policy. It's not infringing on the prescription of the Board of Education given under the Constitution and it's a matter of policy that this Legislature is stating a position on to create a technical school. We legislate that there shall be a technical school in the Commonwealth under the Public School System. What comes as a matter of administrative policy and educational policy is the purvey of the Board of Education under the Constitution but establishing this through a resolution is a feel good resolution. It is time that we embark in getting a vocational and technical institution in the Commonwealth, Mr. Speaker, and I encourage the author of this to forgo – dispense with resolution approach and create this into a legislation for a vocational and technical education.

The Chair recognized Rep. Quitugua.

Rep. Quitugua: Thank you, Mr. Speaker. I thank Representative Hofschneider for his support. This is the initial stage for the purpose of preparing the legislation for a technical high school. We need the information before we initiate the legislation.

The Chair recognized Vice Speaker Villagomez.

Vice Speaker Villagomez: It's been answered. Clarified.

Speaker Fitial: So we're going from step one to step two?

The Chair recognized Rep. A. Palacios.

Rep. A. Palacios: I also support this resolution, Mr. Speaker, and have the same thought as the good Representative Hofschneider. Perhaps, Mr. Speaker, we should also be mindful that sometimes when we request the boards, commissions and bureaucracies of agencies to look at possibilities and the feasibilities of something, we leave it at that and perhaps we should be a little bit more stronger and ask the Board of Education to do this study within a certain period of time. It's a little bit open ended and this is a good resolution. I believe in this resolution but we ought to put a timeline for them to act on it.

Speaker Fitial: Well, as you all know, a resolution is only an expression – we put a timeline, there's no force and effect of law.

Rep. A. Palacios: That's true.

Speaker Fitial: I think Representative Quitugua has already expressed the real intent of this resolution to be followed by the legislation. Representative Quitugua, for the second time.

Rep. Quitugua: The Board and the Commissioner is given 60 days after the adoption of this resolution to submit a study to the Legislature.

There was no further discussion, and the motion to adopt H. R. NO. 14-4 was carried by voice vote.

Speaker Fitial: H. R. NO. 14-004 is adopted. H. R. NO. 14-5, Floor Leader, motion.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-5, was seconded and carried by voice vote.

H. R. NO. 14-005: A HOUSE RESOLUTION TO CONGRATULATE JUAN ILISARI QUITUGUA FOR HIS NOMINATION TO PARTICIPATE IN THE 2004 INTERNATIONAL MISSION ON EDUCATION IN AUSTRALIA AND TO ACKNOWLEDGE HIS EXCEPTIONAL ACADEMIC ACHIEVEMENT.

Speaker Fitial: H. R. NO. 14-005 is adopted. Floor Leader.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-6, was seconded and carried by voice vote.

H. R. NO. 14-006: A HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING MISS REMYLYN JULENE GUERRERO FOR BEING CROWNED MISS TEEN CNMI BEAUTY PAGEANT 2003 QUEEN ON APRIL 12, 2003, AND SECOND RUNNER UP IN THE MISS ANTILLAS 2003 ON OCTOBER 18, 2003, IN CARAS, VENEZUELA.

Speaker Fitial: H. R. NO. 14-006 is adopted. Floor Leader.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-7, was seconded and carried by voice vote.

H. R. NO. 14-007: A HOUSE RESOLUTION TO CONGRATULATE JUAN PAN TENORIO GUERRERO FOR HIS OUTSTANDING CONTRIBUTIONS TO THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Speaker Fitial: H. R. NO. 14-007 is adopted. H. R. NO. 14-8...

Vice Speaker Villagomez: Mr. Speaker, can I request that we defer action on H. R. NO. 14-8 and refer that to the legal counsel – tomorrow so that they can clarify the wording of the resolution?

Speaker Fitial: No objections?

Rep. Hofschneider: Objection, Mr. Speaker. Before we defer, may we discuss that because I want to raise some sections of the Rules that may also provide some clarity in conflicts?

Speaker Fitial: The legal counsel has been instructed to remove your concerns.

Rep. Hofschneider: I want to say it on the floor, Mr. Speaker.

Speaker Fitial: You may say your concerns on the floor.

Rep. Hofschneider: Thank you, Mr. Speaker. Mr. Speaker, may I recommend that Rule XII, Section 8 be also looked into by the counsel and provide language that would allow the elected officials being employers themselves to foot the bill and we have a March 1st deadline to comply to the policy?

Speaker Fitial: Legal counsel, please note.

Rep. Hofschneider: The compliance would be all members of the House and staffs be applied equally by March 1st compliance and the cost attributed to such would be borne out of their respective accounts.

Speaker Fitial: We'll come back to discuss it with changes at a later time but go ahead counsel and include the concerns raised by Representative Hofschneider. Any more concerns? Representative Hofschneider, continue.

Rep. Hofschneider: As a matter of amendment being contemplated, Mr. Speaker and members, in as much as I agree with the Chair having the latitude and the flexibility to appoint and have that discretion to appoint whoever he want to serve to employ that deems to fit the philosophy of the leadership and the qualifications of the leadership required, I wholeheartedly support that. But the conflict ensues with our Constitution in attempting to give that Section in the proposed amendment, Article 2, Section 17, specifically may provide some conflicts or be in conflict potentially with that proposed language in that the Constitution speaks about the Director being at the mercy of the two leadership to begin with and that's understood provided in the Constitution. But then it continues to clarify and provide specific boundaries whereby both leaderships should adhere to the Director shall employ all necessary staff other than personal staff of the members of the Legislature. Pursuant to its budgetary allocations, the staff member shall include legal counsel and other administrative staff. The Bureau provides all required services to the Legislature in connection with duties and responsibilities during the sessions and committee meetings. Often times we have the same conflict, Mr. Speaker, and I recognize that and I fully support the intent of the discretion of the Speaker to hire the right people that he is comfortable with. I think that it is time that we look at providing clarity in the constitutional language or prescription of the Bureau. The demarcation of these two issues is not clear. When you have under the Rules the discretion to appoint the Sergeant-at-Arms or the Deputy Sergeant-at-Arms and there lies an existing personnel provided by the Bureau, what happens to that authority given to you under our mutual consensus of the House Rules? It's meaningless unless you exercise or invoke that authority to appoint the Sergeant-at-Arms or the Deputy Sergeant-at-Arms and pay it out of your leadership account. That would remove the conflict. But the onus is really in this language for us to abide to with subsequent provisions in the Constitution under Article 2, Section (e) the Bureau shall be free from any political harassment or pressure. What if your current appointment of the Sergeant-at-Arms and the Deputy Sergeant-at-Arms is doing good and in comes the next Legislature, do we subject them again to removal? I think that it is time that we work together and provide a permanency in this respect because it's obvious that you need to hire people that will conform to your philosophy and the leadership and the aspects of loyalty is critical. Let's not fool ourselves. This is a political chamber. This is a political institutional that was, for all intents and purposes, started with politics and for us not to say that there's no politics – we're lying to ourselves. I've been in that position of conflict, Mr. Speaker, and I think that we need to put a rest to this and I support in providing languages and clarity as to the authority, the boundaries and who's responsible for the affairs of budgeting and paying for these individuals because it can happen again.

Speaker Fitial: Our two legal counsels have been advised and they will be meeting together to come up with a resolution. Personally, I have no – whatever the Constitution says, I will abide. But interestingly, the Senate Rules provide that the Presiding Officer appoints certain staff for Sergeant-at-Arms. Also, I don't know where this authority came from, but the Chairman of the Saipan & Northern Islands Legislative Delegation appointed his own Sergeant-at-Arms. So I think we need to address these legal issues and like I said, the two legal counsels have been advised of these issues and hopefully they will be coming up with the resolution. So whatever is legal, whatever is right, that's what we will follow.

Rep. Hofschneider: And we'll support that, Mr. Speaker, because we saw this in the past.

Speaker Fitiaf: Right. So the suggestion by the Vice Speaker was to defer and refer H. R. NO. 14-8 to the legal counsels for resolution and hopefully they will come up with a resolution and report back to the members on our next session. Okay. So that concludes the Resolution Calendar.

Rep. Attao: H. R. NO. 14-9, Mr. Speaker.

Speaker Fitiaf: Can I have a copy please? Floor Leader, H. R. NO. 14-9.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-9, was seconded and carried by voice vote.

H. R. NO. 14-009: A HOUSE RESOLUTION RESPECTFULLY REQUESTING THE 108TH UNITED STATES CONGRESS TO PROVIDE FOR A NONVOTING DELEGATE IN THE HOUSE OF REPRESENTATIVES TO REPRESENT THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS (CNMI).

Speaker Fitiaf: H. R. NO. 14-009 is adopted. Before we proceed to Announcements, I'd like to ask Representative Lizama to introduce his 21 bills.

The House went back to Prefiled and Introduction of Bills.

BILL CALENDAR

None

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 14-032: A Bill for an Act to reprogram and reappropriate \$10,146 from P.L. 9-1; \$3,071 from P.L. 11-43 and \$11,108 from P.L. 12-49 CIP funds for the Beach Road Roadside beautification project in Precinct II; and for other purposes.

Offered by: Rep. Jesus SN. Lizama and one other
Referred to: Committee on Ways & Means

H. B. NO. 14-033: A Bill for an Act to amend 1 CMC § 7841 by adding a new subsection (d); and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-034: A Bill for an Act to domesticate or allow the raising of Sambar Deer in captivity; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-035: A Bill for an Act to regulate car towing on public highway and roads; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-036: A Bill for an Act to amend the CNMI alcohol beverage control laws at 4 CMC § 5566 to provide that minors may not enter an establishment that is primarily engage in the sale of alcoholic beverages; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-037: A Bill for an Act to amend certain sections of the Commonwealth Code regarding the payment of claims under the government Life and Health Insurance Programs; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committees on Health & Welfare and Judiciary & Governmental Operations

H. B. NO. 14-038: A Bill for an Act to amend the Commonwealth Historic Preservation Act of 1982, 2 CMC § 4811 *et seq.*, to provide that proceeds and artifacts resulting from treasure salvage operations in the Commonwealth be distributed to the Senatorial District where found and dedicated to projects promoting culture and history; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-039: A Bill for an Act to amend 1 CMC § 8402; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-040: A Bill for an Act to implement the sight triangle rule to make CNMI intersection safe; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-041: A Bill for an Act to amend 1 CMC § 7401, by adding a new subsection (s); and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-42: A Bill for an Act to amend Chapter XI, physicians assistants, of the Rules and Regulations for Licensing Health Care, Professionals, Published in the December 15, 1999 Commonwealth Register, Volume 21, Number 12, at pages 17021 to 17028; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Health & Welfare

H. B. NO. 14-043: A Bill for an Act to provide for extension of time of limited immunity for illegal aliens to avail themselves of the immunity provided in PL 11-33; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-044: A Bill for an Act to amend 1 CMC §2641(a), to require appointment of one member each from the First and Second Senatorial Districts to the Medical Profession Licensing Board; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committees on Judiciary & Governmental Operations and Health & Welfare

Speaker Fitial: Representative Lizama, do you wish to introduce the rest tomorrow?

Rep. Lizama: If there's no objection, Mr. Speaker, if I can just read the numbers?

There was no objection.

Rep. Lizama: My colleague Representative Hofschneider? Thank you.

H. B. NO. 14-045: A Bill for an Act to amend the exemptions to the Compensation Adjustment Act to provide that medical doctors when serving as the Secretary of Public Health may elect to receive salaries currently as medical Doctors as opposed to that salary assigned by law for Public Health Secretaries and Resident Heads; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committees on Judiciary & Governmental Operations and Health & Welfare

H. B. NO. 14-046: A Bill for an Act to amend by adding a new subsection (h) to 3 CMC § 5451 Title 3, Division 5 of the Commonwealth Code; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-047: A Bill for an Act to require the Commonwealth Development Authority to offer a fixed interest rate to new business dedicated to ecotourism; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Commerce & Tourism

H. B. NO. 14-048: A Bill for an Act to amend 2 CMC § 5107 and 2 CMC § 5109(k) of P.L. 13-8; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

Speaker Fitial: We move to Miscellaneous Business.

MISCELLANEOUS BUSINESS

The Chair recognized Rep. Quitugua.

Rep. Quitugua: Thank you, Mr. Speaker. Mr. Speaker, I would just like to inform my good colleagues in front of me that the House Committee on Education still has two membership slots open. If any of them wish to members of the Committee on Education, they're more than welcome. Thank you.

Speaker Fitial: Before we convene the session, I had a brief talk with the Minority Leader asking him to help out in placing members of the minority in the respective committee assignments. He has assured me that he will cooperate and I will let him finish the rest.

Rep. Hofschneider: Recognize, Mr. Speaker.

Speaker Fitial: You are recognized.

Rep. Hofschneider: Yes, I said that, Mr. Speaker and members. But let me share one advice. I've been here with the exception of Representative Attao – eight terms, Representative Attao? And seven terms for me and it never missed a bit. Often times, Mr. Speaker, you know this, with all due respect to freshmen but it is in the records of the legislative history that typically the first four months you will find it very tasking to be in three or more committees or membership in standing committees. And often times, what happens is that overlapping of standing committees calling for a meeting to deliberate on bills to referred to such committees is too daunting to divide yourself, your time that by the third, fourth month we see the loss of attrition applying and taking over. So as a matter of respect as incumbents, not as minority or against majority by no means, but as a matter of respect, the minorities as being incumbents, all of us give way to the freshmen to get a feel of each responsibility in each committees that you have signed up for. Because we don't want to hear that a chairman has called a meeting and only two showed up because you have to attend to your outside meeting versus your responsibility to appear and attend committee meetings and it will happen. It will happen. So it's a matter of respect for the freshmen, the new comers. We give way so that you get a feel first. When you drop out of one committee or you cannot meet then inform the chairman that you cannot effectively participate in other committees other than what you feel you should paying attention or dedicating your time and effort. It will happen again and by that time,

Mr. Speaker, I give you my word that we will come in and fill the void. But allow the members to feel their way first because this is natural. Four committees – you’ve got to be a superman to attend all four committees when there are only five days a week and there are seven or eight standing committees. So if all call a meeting within the week, which one are you going to drop out? That’s where we come in and fill the void. If it’s a good bill, we don’t have to be a member of that committee, Mr. Speaker. You know that. We will support the bill. But I was hoping for the catch phrase. As a Minority Leader, there’ll be funding coming, Mr. Speaker. But none luck. I give you my word, Mr. Speaker. Let’s give the – and we welcome all of you to seek our help if need be. We’re always open. We have a lot of time in our hands. We’re drawing on our walls these days – tic, tac, toe. Thank you.

The Chair recognized Rep. Ada.

Rep. Ada: Mr. Speaker, I think that deserves a round of applause coming from our Minority Leader. (Applause)

Rep. Hofschneider: I wouldn’t be too haste because he’s the only one with his name on that committee list.

Speaker Fitial: I allowed Representative Hofschneider to conclude our brief chat but I think the allowance extended to incorporate his own – but it’s good. Vice Speaker, recognized.

Vice Speaker Villagomez: Thank you, Mr. Speaker. I agree, but the House Journal speaks for itself when we say that we should all put politics aside, put party affiliations aside and let’s work together. We cannot wait four to five months to start addressing critical issues of the CNMI. I ask members of the minority who have expertise in areas of PUTC, which I Chair, to join me and let’s resolve some of the issues that are facing the CNMI. That’s all I would like to say, Mr. Speaker.

The Chair recognized Rep. Yumul.

Rep. Yumul: Thank you, Mr. Speaker. I’d like to recognize colleague Martin Ada who have graciously joined the Committee on Commerce and Tourism. He had given me his word just half an hour ago.

Acting Floor Leader Norita: His word?

Rep. Yumul: His word as a gentlemen and a colleague.

Rep. Ada: I was reading our Minority Leader’s intention today. I heard he had a conversation with the Speaker that he will extend his ... so...

The Chair recognized Rep. Norita.

Acting Floor Leader Norita: I think that Representative Ada will be over extended then because he’s the only one in everybody’s list. Anyway, Mr. Speaker, I hope that eventually through the weeks that go through here all of us will somehow find a way to drop the words or the description of majority and minority. I prefer freshmen and seniors or my colleagues here who have experience to guide us. As a freshmen and I think I speak on behalf of my colleagues who are freshmen legislators, that we seek your advise on every issues that we got coming up and although they are dividing issues in regards to party and everything else, but I think that as we all mentioned earlier in our Journal that we can all set those aside and work. I do not want to run into a wall and I think my colleagues all share the same token that we don’t want to run into a wall or hit the ground. I take your advice because you’ve been there. You know how many stop signs there are coming up so for you to help us or give us that advice would be more than helpful and I appreciate that. Thank you, Mr. Speaker.

Speaker Fitial: The House leadership welcomes, embraces and wants to cultivate the experience, knowledge of the seniors so, I too, would like to do away with the majority or minority. Let’s work together. We have a very, very serious problem in our hands and without working together, not only among us, but also together with our colleagues in the Senate and especially with the Governor. We need to resolve this very, very serious problem that we now have in our hands.

Rep. Hofschneider: Mr. Speaker, just one offer.

Speaker Fitial: I just wanted to let everybody know that I also met with the Lieutenant Governor last Friday and he, too, offered his willingness to work together.

Rep. Hofschneider: I can do better.

Speaker Fitial: I was blamed for the cancellation of our meeting with the Governor and I say today, I am willing to be blamed by the Governor for anything and everything but I still want to work together with him. (Applause)

Rep. Hofschneider: Just a short...

Speaker Fitial: Representative Hofschneider, for the third time.

Rep. Hofschneider: I can do better, Mr. Speaker, with that remark from the Vice Speaker. In the tradition of officers, you do not hold a committee. So as a gesture, I offer him the solution for the members of the incumbent who are experienced and seasoned and knowledgeable as everyone said, he gives his PUTC Chairmanship to Representative Deleon Guerrero to Chair. I rest.

Acting Floor Leader Norita: I thought it was Representative Ada again.

Rep. Hofschneider: No, a spirit of cooperation.

Speaker Fitial: I think it'll be interesting if I remain the Speaker and all the Chairmen will be from your side.

Rep. Hofschneider: It wouldn't be a dream.

The Chair recognized Rep. N. Palacios.

Rep. N. Palacios: I yield my time for Representative Hofschneider.

ANNOUNCEMENTS

Speaker Fitial: Okay. Announcements. No announcements? I have some announcements but I'll make them tomorrow. If there's no further business on today's calendar, I call a recess until tomorrow at 10:00 a.m.

The House adjourned at 12:05 p.m.

Respectfully submitted,

/s/ Lavidia S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 14-01: To fund various improvements at the Capitol Hill Park in Precinct IV, Saipan by re-appropriating the sum of \$110,000.00 previously appropriated under S. L. L. No. 13-14. (First Appearance)

H. L. B. NO. 14-02: To appropriate \$145,000.00 from the Developer Infrastructure Tax Fund; and for other purposes. (First Appearance)

H. L. B. NO. 14-03: To appropriate the sum of \$20,345.00 from the fees collected from the Bingo, Batu and cockfighting; and for other purposes. (First Appearance)

H. L. B. NO. 14-04: To appropriate \$20,000 for the CNMI Agricultural Fair to be held on Saipan in May 2004 from the special account under 10 CMC § 3617. (First Appearance)

H. L. B. NO. 14-06: To appropriate \$20,000.00 from the fees collected under the Saipan Local Law 11-2; and for other purposes. (First Appearance)



House Journal

FIRST REGULAR SESSION, 2004

Second Day

Tuesday, February 10, 2004

The House of Representatives of the Fourteenth Northern Marianas Commonwealth Legislature convened in its **Second Day, First Regular Session**, on **Tuesday, February 10, 2004**, at **10:16 a.m.**, in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Benigno R. Fitial, Speaker of the House, presided.

A moment of silence was observed.

The Clerk called the roll. Sixteen members were recorded present; Representatives **Martin B. Ada** and **Oscar M. Babauta** were excused.

Speaker Fitial: A quorum is constituted for the Second Day of the First Regular Session. Representatives Martin Ada and Oscar Babauta are excused. We received the word that Congressman Ada is ill so he won't be in this morning.

ADOPTION OF JOURNALS

None

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 14-049: A Bill for an Act to establish uniform guidelines for fifteen-year lease extension of public lands; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Natural Resources

H. B. NO. 14-074: A Bill for an Act to amend 9 CMC §§ 8205 and 8210 to prevent lapse of motor vehicle insurance and increase penalties for violation of law; and for other purposes.

Offered by: Rep. David M. Apatang and five others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-075: A Bill for an Act to amend Title 1 Chapter 5 to grant administrative leave to government employees representing the CNMI at regional and international sporting events; and for other purposes.

Offered by: Rep. Crispin M. Ogo and eight others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-076: A Bill for an Act to amend Public Law 12-40 regarding Tinian and Rota capital improvement projects; and for other purposes.

Offered by: Rep. Crispin M. Ogo and eight others
Referred to: Committee on Ways & Means

H. B. NO. 14-077: A Bill for an Act to prohibit the importation of lead plumbing fixtures; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and others
Referred to: Committee on Health & Welfare

H. B. NO. 14-078: A Bill for an Act to regulate reconnection fees which the Commonwealth Utilities Corporation, the cable and telephone companies may charge to its subscribers; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and five others
Referred to: Committee on Public Utilities, Transportation & Communications

H. B. NO. 14-079: A Bill for an Act to establish an Agricultural Homesteading Program for the Northern Islands of Sarigan, Alamagan, Pagan, and Agrigan; and for other purposes.

Offered by: Rep. Arnold I. Palacios
Referred to: Committee on Natural Resources

H. B. NO. 14-080: A Bill for an Act to amend 4 CMC § 2111 to include the Commissioner of the Department of Public Safety as a non-voting, advisory member of the Marianas Visitors Authority Board of Directors.

Offered by: Rep. Arnold I. Palacios and one other
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-081: A Bill for an Act to require refunds for security deposits to be issued in a timely manner.

Offered by: Rep. Arnold I. Palacios
Referred to: Committee on Commerce & Tourism

H. B. NO. 14-082: A Bill for an Act to amend 4 CMC §§ 1302(a)(i) and (ii), to increase the exemption for businesses engaged in the business of producing agricultural products or fishery in the Commonwealth or its waters for dietary consumption; and for other purposes.

Offered by: Rep. Janet U. Maratita and seven others
Referred to: Committee on Ways & Means

H. B. NO. 14-083: A Bill for an Act to amend the Northern Marianas Retirement Fund Act of 1988 (Public Law 6-17 and 1991 Public Law 7-39) as amended, to provide for an annual cost of living allowance to annuitants of the retirement fund upon retirement from government; and for other purposes.

Offered by: Rep. Jesus T. Attao and three others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-084: A Bill for an Act to provide for an period to all Class I members to elect to be credited for prior service; and for other purposes.

Offered by: Rep. Jesus T. Attao and three others
Referred to: Committee on Judiciary & Governmental Operations

H. L. B. NO. 14-05: A Local Bill for an Act to amend Section 2 of Saipan Local Law 13-8 and Section 4 of Saipan Local Law 13-11 to require payment of the thirty percent (30%) early retirement bonus to eligible person in the Third Senatorial District who have retired or will retire by September 30, 2005; and for other purposes. [First Appearance]

Offered by: Rep. Jesus SN. Lizama

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. J. R. NO. 14-02: A House Joint Resolution to request the Governor to exercise reprogramming authority pursuant to 1 CMC § 7402(d) to assist in the funding of the Judicial Branch's Commemorative Events and Law Week celebration.

Offered by: Rep. Claudio K. Norita

H. J. R. NO. 14-03: A House Joint Resolution respectfully requesting the 108th United States Congress to provide for a nonvoting delegate in the House of Representatives to represent the Commonwealth of the Northern Mariana Islands (CNMI).

Offered by: Rep. Claudio K. Norita and seven others

H. J. R. NO. 14-04: A House Joint Resolution requesting the Honorable Juan N. Babauta, Governor, Commonwealth of the Northern Mariana Islands, the Honorable Pedro A. Tenorio, CNMI Resident Representative to the United States, and the Honorable David Cohen, Deputy Assistant Secretary for Insular Affairs, to seek the assistance of the United States Congress, to make apparel manufacturing in the Northern Marianas globally competitive by making necessary amendments to General Note 3(a)(iv)(A) of the Harmonized Tariff Schedule of the United States to increase the maximum allowable value of foreign materials content from 50 percent to 70 percent on all goods, including those described in section 213(b) of the Caribbean Basin Economic Recovery Act, as amended, for purposes of duty exemption.

Offered by: Rep. Claudio K. Norita and seven others

Speaker Fitial: I believe the first two resolutions introduced were the same ones that we adopted yesterday except that now they're being introduced as House Joint Resolutions. The Senate probably wanted to participate in this endeavor. Any further introduction?

Rep. Deleon Guerrero: Mr. Speaker, point of clarification.

The Chair recognized Rep. Deleon Guerrero.

Rep. Deleon Guerrero: I just wanted to clarify Representative Lizama's H. L. B. NO. 14-05. I did hear him say September 30, 2005. Is that correct?

Rep. Lizama: September 30.

Rep. Deleon Guerrero: 2005?

Rep. Lizama: 2005.

Rep. Deleon Guerrero: Because on the bill it's 2003.

Rep. Lizama: Just make a correct on the bill.

Speaker Fitial: We're on Prefiled and Introduction of Resolutions so we can correct that later on. Any more resolutions to be introduced? If none, Floor Leader, do you want to calendar those three resolutions for adoption for today?

Acting Floor Leader Norita: Yes, sir, Mr. Speaker.

Speaker Fitial: So would you like to effectuate the...

Acting Floor Leader Norita moved to suspend Rule VII, Section 9 for the placement and adoption of H. J. R. NO. 14-02, H. J. R. NO. 14-03, and H. J. R. NO. 14-04, was seconded and carried by voice vote.

Speaker Fitial: The subject resolutions introduced by Representative Norita will be placed on today's Resolution Calendar for adoption.

The House went down to Item 15, Resolution Calendar.

MESSAGES FROM THE GOVERNOR

None

SENATE COMMUNICATIONS

None

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

OTHER COMMUNICATIONS

None

REPORTS OF STANDING COMMITTEES

None

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Acting Floor Leader Norita: Mr. Speaker, in regards to H. R. NO. 14-8, I recommend deferment to another date.

Rep. Attao seconded the motion.

Speaker Fitial: It was deferred yesterday and referred to the legal counsel. It is on today's Resolution Calendar. So the motion is to defer?

Acting Floor Leader Norita: Yes, sir.

Speaker Fitial: So that motion is not debatable. It has been seconded.

There was no discussion, and the motion to defer H. R. NO. 14-8 was carried by voice vote.

Speaker Fitial: H. R. NO. 14-8 is deferred. Short recess to reproduced copies of the three resolutions introduced and placed on the day's calendar.

The House recessed at 10:23 a.m.

RECESS

The House reconvened at 10:23 a.m.

Speaker Fitial: We shall continue.

Acting Floor Leader Norita: That was a short recess.

Speaker Fitial: I'm the only one without copies. Floor Leader, motion for adoption.

Acting Floor Leader Norita: Requesting for a floor amendment, Mr. Speaker. I move for discussion for the amendment.

Speaker Fitial: You need to suspend Rule IX, Section 11 to allow amendments.

Acting Floor Leader Norita moved to suspend pertinent Rules to allow floor amendments, was seconded and carried by voice vote.

Speaker Fitial: Motion carries. Floor Leader.

Acting Floor Leader Norita: The amendment is to add additional language.

Speaker Fitial: Can you make a motion to adopt the resolution?

Acting Floor Leader Norita: I move to adopt the amendment.

Speaker Fitial: No, H. J. R. NO. 14-2.

Acting Floor Leader Norita moved for the adoption of H. J. R. NO. 14-02, and was seconded by several others.

H. J. R. NO. 14-02: A HOUSE JOINT RESOLUTION TO REQUEST THE GOVERNOR TO EXERCISE REPROGRAMMING AUTHORITY PURSUANT TO 1 CMC § 7402(D) TO ASSIST IN THE FUNDING OF THE JUDICIAL BRANCH'S COMMEMORATIVE EVENTS AND LAW WEEK CELEBRATION.

Speaker Fitial: Discussion. Floor Leader.

Acting Floor Leader Norita: The amendment is to add additional language to line 15 of page 1.

Speaker Fitial: Proceed.

Acting Floor Leader Norita: On line 15 after "Events and Law Week celebration" insert "and the repainting of the entire *Guma Hustisia/Imwal Aweewe*/House of Justice".

The motion was seconded and carried by voice vote.

Speaker Fitial: Motion carries. We're still discussing the main motion, which is to adopt H. J. R. NO. 14-2, HD1. Any more discussion?

There was no further discussion, and the motion to adopt H. J. R. NO. 14-2, HD1 was carried by voice vote.

Speaker Fitial: H. J. R. NO. 14-02 is adopted.

Acting Floor Leader Norita: As amended, Mr. Speaker.

Speaker Fitial: As amended. Floor Leader, motion for adoption of H. J. R. NO. 14-3.

Acting Floor Leader Norita moved for the adoption of H. J. R. NO. 14-3, was seconded and carried by voice vote.

H. J. R. NO. 14-03: A HOUSE JOINT RESOLUTION RESPECTFULLY REQUESTING THE 108TH UNITED STATES CONGRESS TO PROVIDE FOR A NONVOTING DELEGATE IN THE HOUSE OF REPRESENTATIVES TO REPRESENT THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS (CNMI).

Speaker Fitial: H. J. R. NO. 14-03 is adopted. Floor Leader.

Acting Floor Leader Norita moved for the adoption of H. J. R. NO. 14-04, was seconded and carried by voice vote.

H. J. R. NO. 14-04: A HOUSE JOINT RESOLUTION REQUESTING THE HONORABLE JUAN N. BABAUTA, GOVERNOR, COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS, THE HONORABLE PEDRO A. TENORIO, CNMI RESIDENT REPRESENTATIVE TO THE UNITED STATES, AND THE HONORABLE DAVID COHEN, DEPUTY ASSISTANT SECRETARY FOR INSULAR AFFAIRS, TO SEEK THE ASSISTANCE OF THE UNITED STATES CONGRESS, TO MAKE APPAREL MANUFACTURING IN THE NORTHERN MARIANAS GLOBALLY COMPETITIVE BY MAKING NECESSARY AMENDMENTS TO GENERAL NOTE 3(A)(IV)(A) OF THE HARMONIZED TARIFF SCHEDULE OF THE

UNITED STATES TO INCREASE THE MAXIMUM ALLOWABLE VALUE OF FOREIGN MATERIALS CONTENT FROM 50 PERCENT TO 70 PERCENT ON ALL GOODS, INCLUDING THOSE DESCRIBED IN SECTION 213(B) OF THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT, AS AMENDED, FOR PURPOSES OF DUTY EXEMPTION.

Speaker Fitial: H. J. R. NO. 14-04 is adopted. There's no bill on today's calendar. We have six local bills appearing on today's session. We move to Miscellaneous Business.

BILL CALENDAR

None

MISCELLANEOUS BUSINESS

The Chair recognized Rep. Seman.

Rep. Seman: Thank you, Mr. Speaker. If there's no objection, I would like to request to move back to Item 7, House Communications.

There being no objection; the House went back to House Communications.

HOUSE COMMUNICATIONS

Speaker Fitial: Proceed, Representative Seman.

Rep. Seman: I would like to submit a memo from the Acting Secretary of the Department of Finance for official House Communication to be officially attached to H. B. NO. 14-8 to justify for the figure of the 30% appropriation of the "sin tax".

Speaker Fitial: That's under Item 7?

Rep. Seman: Yes.

Speaker Fitial: Representative Seman, if there's no objection, can we place that under Communications from Departments & Agencies?

Rep. Seman: Yes, Mr. Speaker.

Speaker Fitial: I believe the letter is coming from the Secretary of Finance.

There was no objection.

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

DEPT. & AGENCY COMM. 14-002 – December 30, 2003 – From DOF Acting Secretary Cathryn Villagomez to Representative Gloria Cabrera re. Tobacco Control Fund Status.

Rep. Seman: If I may ask the members to please attach that to H. B. NO. 14-008?

Speaker Fitial: H. B. NO. 14-008, yes. Further Miscellaneous Business? If none, we move to Announcements? If there are no Announcements, the House stands recess until tomorrow, again, at 10:00 a.m.

ANNOUNCEMENTS

None

The House adjourned at 10:34 p.m.

Respectfully submitted,

/s/ Lavidia S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 14-05: To amend Section 2 of Saipan Local Law 13-8 and Section 4 of Saipan Local Law 13-11 to require payment of the thirty percent (30%) early retirement bonus to eligible person in the Third Senatorial District who have retired or will retire by September 30, 2005; and for other purposes. (First Appearance)

H. L. B. NO. 14-01: To fund various improvements at the Capitol Hill Park in Precinct IV, Saipan by re-appropriating the sum of \$110,000.00 previously appropriated under S. L. L. No. 13-14. (Second Appearance)

H. L. B. NO. 14-02: To appropriate \$145,000.00 from the Developer Infrastructure Tax Fund; and for other purposes. (Second Appearance)

H. L. B. NO. 14-03: To appropriate the sum of \$20,345.00 from the fees collected from the Bingo, Batu and cockfighting; and for other purposes. (Second Appearance)

H. L. B. NO. 14-04: To appropriate \$20,000 for the CNMI Agricultural Fair to be held on Saipan in May 2004 from the special account under 10 CMC § 3617. (Second Appearance)

H. L. B. NO. 14-06: To appropriate \$20,000.00 from the fees collected under the Saipan Local Law 11-2; and for other purposes. (Second Appearance)



House Journal

FIRST REGULAR SESSION, 2004

Third Day

Wednesday, February 11, 2004

The House of Representatives of the Fourteenth Northern Marianas Commonwealth Legislature convened in its **Third Day, Fourth Regular Session**, on **Wednesday, February 11, 2004**, at **10:14 a.m.**, in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Benigno R. Fitial, Speaker of the House, presided.

A moment of silence was observed.

The Clerk called the roll. Sixteen members were recorded present; Representatives Martin B. Ada and Oscar M. Babauta were excused.

Speaker Fitial: A quorum is constituted for the Third Day Session. Representatives Ada and Babauta are excused.

ADOPTION OF JOURNALS

None

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 14-085: A Bill for an Act to authorize the establishment of the Park Rangers under the Division of Parks and Recreation and to designate the Department of Lands and Natural Resources as the administering authority for the Commonwealth parks, recreational areas and tourist sites; and to amend 1 CMC § 2707 (a), (c), (d), and (e) and 1 CMC 2704 (b); and for other purposes.

Offered by: Rep. Janet U. Maratita and eight others
Referred to: Committee on Natural Resources

H. B. NO. 14-086: A Bill for an Act to boost the economy of the CNMI by establishing a specific nonimmigrant entry permit category in the Immigration Code to attract the "silver club" market in Japan and retirees from other countries; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-087: A Bill for an Act to impose liability and responsibility on non-resident workers for causes arising from personal acts; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-088: A Bill for an Act to protect confidential information and communications made to a "Crime Stoppers" organization; and for other purposes.

Offered by: Rep. Jesus SN. Lizama
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-089: A Bill for an Act to protect pedestrians in the Commonwealth by establishing safe limits on motor vehicle window tinting.

Offered by: Rep. Benjamin B. Seman and six others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-090: A Bill for an Act requiring that all products sold, manufactured, or distributed within the Commonwealth that contain chemicals to be clearly marked with labels identifying the chemicals name in the English language; conferring powers and duties on the Division of Environmental Quality, providing penalties for violation of this Act; and for other purposes.

Offered by: Rep. Ramon A. Tebuteb and five others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-091: A Bill for an Act to re-appropriate a portion of the remaining balances from Public Laws 11-89 and 12-5.

Offered by: Rep. Ramon A. Tebuteb and six others
Referred to: Committee on Ways & Means

H. B. NO. 14-092: A Bill for an Act to improve education in the Northern Marianas by providing opportunities for learning earlier and later in each student's life; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and five others
Referred to: Committee on Education

H. B. NO. 14-093: A Bill for an Act to improve education in the Northern Marianas by putting resources in the hands of teachers; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and five others
Referred to: Committee on Education

H. B. NO. 14-094: A Bill for an Act to establish a Parental Choice Scholarship Program; to authorize the adoption of necessary procedures and rules to implement this Act; to assign responsibilities duties and obligations among the administrators and participants in the Parental Choice Scholarship Program; and to provide a funding mechanism for the Program; and for other purposes.

Offered by: Rep. Heinz S. Hofschneider and four others
Referred to: Committee on Education

Rep. Hofschneider: Mr. Speaker, may I ask for an earliest possible date for a public hearing on H. B. NO. 14-94 in anticipation of the overcrowding in many of the schools in the Public School System and the shortfall of funding to PSS. If you read the bill, it provides for a funding mechanism of no less than \$5 million.

Speaker Fitial: The standing committees received the bills that were introduced in the First and Second Day Sessions yesterday afternoon. At this morning's leadership meeting, the committees will be meeting today to organize and prioritize the measures that have been referred to each respective committee. So I'm sure the bills that are introduced today will also be considered. Further introduction of bills? If none, we move to Prefiled and Introduction of Resolutions.

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 14-010: A House Resolution to recognize and congratulate Juan S. Reyes, Secretary of the Department of Public Works (DPW), for his exemplary leadership and numerous accomplishments that has contributed to the growth of the Commonwealth of the Northern Mariana Islands.

Offered by: Rep. Justo S. Quitugua and seventeen others

Rep. Quitugua: Also, Mr. Speaker, if there's no objection, I would like to ask that this resolution be calendared for adoption on today's session.

There was no objection.

H. R. NO. 14-011: A House Resolution to establish a new subsistence allowance for the Representatives from the First and Second Senatorial Districts.

Offered by: Rep. Norman S. Palacios

Rep. N. Palacios: With no objection, I'd like to place this on the day's calendar.

There was no objection.

H. R. NO. 14-012: A House Resolution to express appreciation to Mark Erwin, Continental Micronesia's President and Chief Executive Officer, for extending the Saipan-Manila direct air service.

Offered by: Rep. Benigno R. Fitial and seventeen others

H. R. NO. 14-013: A House Resolution to urgently request the Office of Coastal Resources Management and the Division of Environmental Quality to expedite the permitting process for the Shell/D&W Retail and Gas Station Project in Kagman.

Offered by: Rep. David M. Apatang and six others

Rep. Apatang: I'd also like to request that we place this on the day's calendar. Thank you.

There was no objection.

Speaker Fitial: So ordered.

MESSAGES FROM THE GOVERNOR

GOV. COMM. 14-006 – [2/10/04] – From Lt. Governor Benavente providing a copy of the 702 Funding Agreement.

GOV. COMM. 14-007 – [2/9/04] – Informing the Legislature about Office of Insular Affairs' (OIA) change in policy in that OIA will only the review and approval CIP Projects of \$500,000 or more.

The Chair recognized Rep. A. Palacios.

Rep. A. Palacios: Thank you, Mr. Speaker. I'd like to refer to GOV. COMM. 14-7. I'm a little bit concern and I'm glad that the Office of Planning and Budget by the CIP Coordinator has raised some questions because it does and will affect how we appropriate CIP funds. I think that clarification must be made. If we're looking at the \$500,000 threshold, we all know that there are projects that are going to be below the \$500,000 threshold. I think it'll be also appropriate for the Committee on Ways & Means and perhaps even the Committee on Federal & Foreign Relations to communicate with the Office of the Governor and be on top of this issue. Thank you.

Speaker Fitial: The Governor has invited the leadership to meet tomorrow morning at 10:00 a.m. to go over the financial status of the Commonwealth, so I will ask the Committees on Ways & Means and Federal & Foreign Relations to bring this matter up at the meeting tomorrow morning. Any more comments?

Rep. Hofschneider: I have a comment, Mr. Speaker, on GOV. COMM. 14-6.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: As traditionally practiced, Mr. Speaker, the Legislature is part of the team in the formulation and compilation of Capital Improvement Projects and I just wanted to raise that if there was any invitation to such undertaking to submit project listing for the Commonwealth.

Speaker Fitial: I think that has been a tradition for many years, but recently, I understand that the 702 Funding has become a grant instead. So as such, according to the Administration, legislative approval is no longer required.

Rep. Hofschneider: Then it shouldn't be called a 702 under the Covenant terms, Mr. Speaker. If it's a grant, then it should not be phrased or referenced as 702 Capital Improvement Projects.

Speaker Fitial: You and I share the same position on this issue. However, I have asked the Chairman of the Committee on Federal & Foreign Relations to not only look into this, but to see how we can go back to the traditional practice of requiring legislative approval on the disposition of 702 Funds.

The Chair recognized Rep. Attao.

Rep. Attao: On the same communication, GOV. COMM. 14-6 on page 5, Section 4, Elimination of Matching Requirement. I think this is a loophole here because if there's no matching, then definitely the 702 financial assistance is treated as grant rather than 702. My recommendation to the leadership, Mr. Speaker, for discussion purposes is to bring this to the attention of the Governor tomorrow and raise this kind of question. It's useless to have the Legislature while they have no say so to whatever grant received by the CNMI. There should be accountability as far as grants or 702 moneys that the CNMI receives.

Speaker Fitial: Last week, I sent out a letter to the Secretary of the Department of the Interior on this very issue requesting the Secretary if they can propose a language to at least require legislative review if they don't require a legislative approval. But I think if the language of the Covenant can be proposed to require that the Legislature shall approve these funds before they are disposed by the Administration. That's the essence of that letter, which I sent out last week.

Rep. Hofschneider: May I, Mr. Speaker? I think it's beautiful and wonderful if you're a Governor when we have this latitude of the sole discretion of having to dispose and expend. I believe that they have received over \$15 million to date on such approach as a grant and not on Capital Improvement Project as appropriated under the Covenant Section. The problem with this, Mr. Speaker, is the liability of the government when you have no blessing to expend public funds whether it be a grant or under 702 and in context and consistency with the spirit and letters of the Covenant. The problem with it lies in that if there is a liability open on the Commonwealth and we did not participate and bless that project or Capital Improvement Project expenditure, then the sole discretion of the Governor is questionable because it'll come back to the Legislature if and when there is a lawsuit that in the name of the Commonwealth and we have to fork out the cost of having to mitigate or settle a lawsuit. Having the sole discretion is one. Second, this is one Commonwealth and the authority is in the Constitution that is formulated today. I don't believe that in the last Legislature we amended that Section – that all resources of the Commonwealth – that particular Section in appropriation – all resources received in the name of the Commonwealth shall be appropriated. Therefore, no expenditure within or without the Commonwealth, once it is in the hands of the Commonwealth, can be expended. It's very clear in the Constitution on expenditure and appropriation and we're letting it go. This subtle usurpation of legislative authority to appropriate and the House's purview. It's the domain of the House to appropriate and you should fight on the principle of what the Constitution presents us in the House. And that goes for all branches of government that the House shall initiate all appropriations and expenditure; therefore, shall be blessed by this House first.

Speaker Fitial: Once I receive the Secretary of the Department of the Interior's response to that letter we will have a much clearer direction as to the disposition of appropriated funds from the U. S. Congress.

Rep. Hofschneider: My only objection, Mr. Speaker, is the usage of the terminology provided in the Covenant. When you say and state 702 CIP, that's consistent with the provision provided in the Covenant establishing the Commonwealth.

Speaker Fitial: That's correct.

Rep. Hofschneider: If it's a grant, then it should be coming from OIA as an agency or EPA as an agency or the Department of Transportation as department.

Speaker Fitial: That's correct.

Rep. Hofschneider: But congressional appropriation, Mr. Speaker, we have to hold our grounds here in the House.

Speaker Fitial: But as Representative Attao clearly pointed out when they removed the matching requirement, they treat the 702 Funds now as grants.

Rep. Hofschneider: We are short of our memory in history, Mr. Speaker, because the first grant pledge agreement – you know this – did not come with matching conditions and it was appropriated by the Legislature consistent with the usage of 702 language in the Covenant. So this matching requirement came a midst of the Commonwealth having gone through the bubble economy and we have surpluses in our budget. That invoked OIA to impose a matching requirement because of our flourishing economy then not because there was a change in language in the U. S. Congressional appropriation. The matching came as a condition granted by the U. S. Congress to the Office of Insular Affairs to give discretion if and when to impose a matching requirement on all CIP. So it was an internal mechanism emplaced. So that has nothing to do with changing the language of grant or what, Mr. Speaker, if you spell it out as 702. This body has a say in those appropriated funds or funds to be appropriated and expended as provided by law.

The Chair recognized Rep. A. Palacios.

Rep. A. Palacios: Not to belabor the issue, Mr. Speaker, I also agree. In fact I had asked an attorney a couple of months ago to look into this and they have looked into this and short answer is that we have the authority even under the Planning and Budgeting Act has a new reference to the 702, which is the Covenant provision then this House, the Legislature has purview over it. I would also recommend that perhaps this is an issue that our legal counsel could be assigned to take a look at it and begin to give us direction as a point where we can discuss this with the Governor. That's a recommendation that I believe we should begin with. Thank you.

Speaker Fitial: Well, this is not only on the 702 Funds. This also includes Impact Funds. I'm happy to report that the Governor is willing to meet with the leadership and discuss the disposition of the Impact Funds.

Rep. Hofschneider: More importantly, Mr. Speaker, if I may be recognized.

Speaker Fitial: Yes.

Rep. Hofschneider: It's for our Washington Representative to appeal before the U. S. Congress to redefine, or provide appropriate language for Compact Impact because there is reluctance on the Federal side to use the word Compact Impact reimbursement for certain hitch in the Covenant. That should be reviewed by the Washington Representative and this legislative body and the Executive Branch and, once and for all, we know that it is moneys coming as a result of Micronesian impact. And let's not use Micronesians for God sake as a means of getting monies from the Federal government. It's appalling and it's quite distasteful for us to look the other way and call it a grant and not a reimbursement because realities are that there is an impact and there is such a thing as a Compact Impact policy. But when reimbursement granted they call it a grant and that relieves the legislative body of appropriately assigning allocations and appropriations to the much impacted agencies like the Public School System, the Department of Public Health and the Department of Public Safety. I think, Mr. Speaker, we can do the public a favor. If we review this in context of the Covenant establishing it and the agreements thereabouts that were hooked as a result of the entities that came into existence after the Covenant. This has to be reviewed.

Speaker Fitial: I will ask the legal counsel to share copies of the letter I sent to Secretary Norton for your information. We move to Item 9, Communications from the Resident Representative.

SENATE COMMUNICATIONS

None

HOUSE COMMUNICATIONS

None

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

Speaker Fitial: We don't have anything under Item 9, but I am inserting a letter, which I just received from the Washington Representative concerning the upcoming House Committee on Resources hearing on the nonvoting delegate bill. Does everyone have a copy of that letter? Does anyone want to make a comment or remarks?

Rep. Hofschneider: I just made my comment in reference to that letter, Mr. Speaker. So it should be raised to the attention of the Washington Representative.

Wash. Rep. Comm. 14-1 – February 10, 2004 – From Resident Representative Tenorio informing the members that the House Committee on Resources of the U. S. Congress will be scheduling an oversight hearing on the CNMI nonvoting representation.

Speaker Fitial: If there's no comment, let's proceed to Other Communications.

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

OTHER COMMUNICATIONS

MISC. COMM. 14-001 – [2/10/04] – Informing the Speaker and the Chairman of the SNILD of his appointments to Saipan Higher Education Financial Assistance Board.

MISC. COMM. 14-002 – [2/4/04] - From Ms. Frances Muña, SNIMC Administrative Officer, transmitting a certified copy of 8SMC-IRS-02 through 8SMC-IRS-06.

There was no discussion.

REPORTS OF STANDING COMMITTEES

None

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Speaker Fitial: Floor Leader, we have four resolutions that were introduced and asked that they be placed on the day's calendar for adoption. H. R. NO. 14-10, H. R. NO. 14-11, H. R. NO. 14-12 and H. R. NO. 14-13.

Acting Floor Leader Norita: H. R. NO. 14-10, Mr. Speaker?

Speaker Fitial: Yes. H. R. NO. 14-10 is introduced by Representative Quitugua.

Acting Floor Leader Norita moved for the suspension of pertinent Rules for the placement and adoption of H. R. NO. 14-10, H. R. NO. 14-11, H. R. NO. 14-12 and H. R. NO. 14-13, was seconded and carried by voice vote.

Speaker Fitial: Motion carries. Adoption motion, Floor Leader.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-10 and was seconded by several others.

H. R. NO. 14-010: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE JUAN S. REYES, SECRETARY OF THE DEPARTMENT OF PUBLIC WORKS (DPW), FOR HIS EXEMPLARY LEADERSHIP AND NUMEROUS ACCOMPLISHMENTS THAT HAS CONTRIBUTED TO THE GROWTH OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Speaker Fitial: Discussion. Representative Attao.

Rep. Attao: On line 10 of the last page under "Be It Further Resolved", I would like to offer an oral floor amendment to include after, "Mayor of Saipan," "the Honorable Benjamin T. Mangloña, Mayor of Rota, the Honorable Francisco M. Borja, Mayor of Tinian, and the Honorable Valentin I. Taisakan, Mayor of the Northern Islands."

Speaker Fitial: Is that a motion?

Rep. Attao: Yes.

The motion was seconded. There was no discussion, and the oral floor amendment offered by Representative Attao to H. R. NO. 14-10 was carried by voice vote.

Speaker Fitial: Motion carries. Any further amendment?

There was no further discussion; the motion to adopt H. R. NO. 14-10, HD1 was carried by voice vote.

Speaker Fitial: H. R. NO. 14-010 as amended is adopted. Floor Leader, adoption motion for H. R. NO. 14-11.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-11 and was seconded by several others.

H. R. NO. 14-011: A HOUSE RESOLUTION TO ESTABLISH A NEW SUBSISTENCE ALLOWANCE FOR THE REPRESENTATIVES FROM THE FIRST AND SECOND SENATORIAL DISTRICTS.

Speaker Fitial: Discussion. Representative Hofschneider.

Rep. Hofschneider: With all due respect, Mr. Speaker, this is a contentious matter before the House and we tried to deal with it last Legislature. I believe that the Public Auditor has come out with an adjusted allowance for both senatorial districts and we should be in conformance to the recommendation with the Public Auditor. There is a report already out.

The Chair recognized Rep. N. Palacios.

Rep. N. Palacios: I haven't read the Public Auditor's report yet but we patterned the Senate's resolution. So it's sort of informal now.

Speaker Fitial: Did you say you read or have not read the OPA report?

Rep. N. Palacios: Have not read.

Speaker Fitial: So who has read the OPA report?

Rep. Hofschneider: Can we just put this on the calendar and hold action on it until we...

Speaker Fitial: Does anybody know what the OPA's report?

Rep. Hofschneider: It's close to 50% less of what is being proposed.

Speaker Fitial: So can we just hold this until we meet and then call in the OPA and ask the OPA the legal basis for his recommendation?

Rep. N. Palacios: No problem, sir.

Speaker Fitial: So ordered. Floor Leader, H. R. NO. 14-12.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-12, was seconded and carried by voice vote.

H. R. NO. 14-012: A HOUSE RESOLUTION TO EXPRESS APPRECIATION TO MARK ERWIN, CONTINENTAL MICRONESIA'S PRESIDENT AND CHIEF EXECUTIVE OFFICER, FOR EXTENDING THE SAIPAN-MANILA DIRECT AIR SERVICE.

Speaker Fitial: H. R. NO. 14-012 is adopted.

Rep. Hofschneider: Point of information, Mr. Speaker.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Just so that we all support this resolution, may I ask that it'll be Committee of the Whole so that...

Speaker Fitial: No objection.

There was no objection.

Speaker Fitial: So ordered.

Rep. Hofschneider: Thank you.

Speaker Fitial: Floor Leader, H. R. NO. 14-13.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-013, was seconded and carried by voice vote.

H. R. NO. 14-013: A HOUSE RESOLUTION TO URGENTLY REQUEST THE OFFICE OF COASTAL RESOURCES MANAGEMENT AND THE DIVISION OF ENVIRONMENTAL QUALITY TO EXPEDITE THE PERMITTING PROCESS FOR THE SHELL/D&W RETAIL AND GAS STATION PROJECT IN KAGMAN.

Speaker Fitial: H. R. NO. 14-013 is adopted. We still have H. R. NO. 14-8.

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-8, and was seconded by two others.

H. R. NO. 14-008: A HOUSE RESOLUTION TO ADOPT THE AMENDED RULES FOR THE HOUSE OF REPRESENTATIVES, ATTACHED HEREWITH AS APPENDIX "A"; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion. Representative Hofschneider.

Rep. Hofschneider: On page 1, Mr. Speaker, of the Rules as proposed so that we clarify, Mr. Speaker, since we're striking out – our copy's showing that the striken out language would resolve only into the Speaker shall appoint nonmembers as Clerk of the House and Sergeant-At-Arms and Deputy Sergeant-At-Arms. May we also include that the Sergeant-At-Arms and the Deputy Sergeant-At-Arms shall be supervised by the Speaker so that we don't have ambiguity as to the supervision, Mr. Speaker?

Speaker Fitial: Well, after several meetings with the legal counsels this is the proposed language that we have agreed to propose. The point here is we should separate the issue of appointment from the issue of employment.

Rep. Hofschneider: But supervision can be delegated and you can supervise and you should supervise the Sergeant-At-Arms.

Speaker Fitial: Well, that's a separate issue – supervision. I don't mind supervising but as you know me, I love to delegate.

Acting Floor Leader Norita: Mr. Speaker, isn't it obvious that the appointment is also supervised in that extent because of the appointing authority?

Speaker Fitial: Yes, but like I said, I can always delegate.

Rep. Hofschneider: The color of the law does not have an implied intent. It should be spelled out. What you intend and what I intend, and what the public intends are three different things. So if you intend to supervise the Sergeant-At-Arms as appropriately being done, then state so. Because in the service of subpoenas, who executes it? You should supervise that.

Speaker Fitial: I don't mind supervising these staffs.

Rep. Hofschneider: Is it provided?

Speaker Fitial: So do you wish to propose or effectuate your amendment, Representative Hofschneider?

Rep. Hofschneider: If it is provided, then there's no need for redundancy.

Speaker Fitial: According to the legal counsel, it is already provided.

Rep. Hofschneider: What do I know? I rest.

The Chair recognized Rep. Attao.

Rep. Attao: Can we ask the legal counsel to explain to us the definition of nonmember? Is this away from the Legislative Bureau? Nonmember?

Speaker Fitial: No. Nonmember is just a distinction between staff and legislators.

Rep. Attao: Okay. So in a sense the Sergeant-At-Arms does not report to the LB. It's a total separate authority under the Speaker. Is this what you're trying to say?

Rep. Hofschneider: That's the supervision part that I was trying to get at.

Speaker Fitial: Well, they will be under the LB.

Rep. Attao: Under the LB?

Speaker Fitial: Yes.

Rep. Hofschneider: Paid for by the LB.

Speaker Fitial: Paid for by the LB.

Rep. Hofschneider: But the supervision shall be by the Speaker.

Speaker Fitial: So that's what you are proposing?

Rep. Hofschneider: But, again, I rest with the counsels having said that there are sufficient guidelines and procedures for...

Speaker Fitial: Yes. I just talked to the legal counsel and she assured me that you're concern is already provided for.

Rep. Hofschneider: May I continue, Mr. Speaker?

Speaker Fitial: Yes, you may.

Rep. Hofschneider: I believe in the last session when we tried to deal with the amendment I also pointed out Article XII, Section 8. Whatever happened to those requests?

Speaker Fitial: Article XII?

Rep. Hofschneider: Article XII, Section 8. I pointed out in the last session, Mr. Speaker, when we were discussing this resolution to reference in Section 8 that the employers themselves shall be burdened with the costs of compliance with this Section.

Speaker Fitial: I would like our legal counsel to respond directly to that issue. Mr. Bermudes.

Legal Counsel Bermudes: Under Section 8, it attaches the Appendix for Drug Free Policy. If you look at the Drug Free Policy – looking at Appendix A...

Rep. Hofschneider: Who pays for it? Certainly not the employees – we'll never get it done.

Legal Counsel Bermudes: The Drug Free Policy basically applies to pre-employment. It's a pre-employment requirement. At nowhere in Appendix A does it state who pays for the testing.

Rep. Hofschneider: So this is just for posterity?

Legal Counsel Bermudes: What I'm saying is that it doesn't provide for...

Rep. Hofschneider: Random?

Legal Counsel Bermudes: ...any testing but it applies to pre-employment. In other agencies, for example, the AG's Office, the payment of the testing is paid by the person seeking the employment.

Rep. Hofschneider: And that's one of the problems encountered over the years. If you leave it up to the employees themselves, it ranges from \$40 to \$70 to have that test. Now, we have the discretion to use taxpayer's money and this is probably the most appropriate way on ensuring that there is safeguard for the public. Some of us drive leased vehicles and some of us employ people who drive leased vehicles. These are all liabilities of the government and the public.

Speaker Fitial: Legal counsel, can we mandate or require House employees to take the drug test?

Legal Counsel Bermudes: The answer of the question, Mr. Speaker, is we're going to run into all sorts of problems. We have blanket mandatory drug testing with respect to the employees of the Legislature.

Speaker Fitial: So you're answer is no?

Legal Counsel Bermudes: Yes.

The Chair recognized Acting Floor Leader Norita.

Acting Floor Leader Norita: I would direct my attention to our Drug Free Policy Section 109. Referral for Testing. It specifies specific reasons as to employees' requirement for testing: Pre-employment/post-offer testing, sensitive reasonable suspicion testing and accident or post-accident requirement testing and returning to duty testing. If those criteria are found, then I believe that this body – or we should demand that the test be administered to that employee. Other than that, just because we want everybody to run their tests we're going to run into problems of specific rights in the Constitution.

Rep. Hofschneider: That is if post-hiring, Mr. Speaker. So can we get one thing in terms of our House Rules clear that there be some employees or all of the employees would be subject to renewals cannot...

Acting Floor Leader Norita: Supervisor for pre-employment testing.

Rep. Hofschneider: May I finish? And at such time upon renewal, that's the time that an employee may be subjected to such policy. But I think it's – there should be a default language in other words in the House Rules. Correct?

Speaker Fitial: Legal counsel, if your answer to my question is no...

Rep. Hofschneider: Post-employment.

Speaker Fitial: In other words, drug test can only be administered as a pre-employment requirement.

Legal Counsel Bermudes: Yes.

Speaker Fitial: Anyway, can we defer this drug issue until the two legal counsels can get together and come up with a work of – if there's no objection, can we just defer Section 8?

There was no objection.

Speaker Fitial: And I would also like to ask Representative Hofschneider to come up with a proposed language.

Rep. Hofschneider: I'm not a lawyer, Mr. Speaker, with all due respect. This is a legal matter. It should be referred to the legal counsel.

Speaker Fitial: Okay. Can you help the legal counsel then? Let's proceed. Further discussion on the Rules? If there's no objection, I would like to include a phrase on page 12, Section 4(c) after "All bills must be reviewed" the words "and signed". No objection?

There was no objection.

Rep. Hofschneider: And I think it should go to resolutions in cases where resolutions are bound to Federal agencies that it should also be reviewed by the counsels. Often times, I get this quiet whisper that some of the resolutions requesting Federal agencies and the U. S. Congress are ill-prepared. And it's such an embarrassment, Mr. Speaker, to have a resolution drafted, and adopted by this House, and the syntax and grammar were all interchangeable and misplaced. So I think that resolutions intended to reach Federal agencies and the U. S. Congress and diplomatic communications in the form of resolution should be reviewed by the legal counsel.

Speaker Fitial: You wish to propose an amendment then? On Section 4...

Rep. Hofschneider: Section 4(b) – well, just add "all bills and resolutions must be reviewed and signed".

Speaker Fitial: Any objection?

There was no objection.

Rep. Hofschneider: Objection on the floor, the counsel should not be lobbying. Can we take a short recess, Mr. Speaker?

Speaker Fitial: Short recess.

The House recessed at 11:01 a.m.

RECESS

The House reconvened at 11:02 a.m.

Speaker Fitial: [beginning of recording]...all bills and resolutions must be reviewed and approved by the legislative counsel for legal sufficiency so forth and so on. If there's no objection...

There was no objection.

Speaker Fitial: Any further discussion? Representative Arnold Palacios.

Rep. A. Palacios: Thank you. If you read further, it says that a bill may be introduced on the floor without such review if the bill is referred to an appropriate committee pursuant to Rule IX, Section 8(a). Does that mean that we don't have to go through this process if our bill is going to be referred to, for example, Representative Norman Palacios or any of the committee chairman?

Speaker Fitial: This is an exception. I think the bills that will be referred to the committees will already have been reviewed and approved by the counsel so I really don't see any need for this exemption.

Rep. A. Palacios: Maybe we should take that out.

Speaker Fitial: It's redundant.

Rep. A. Palacios: Correct. Because it defeats the...

Speaker Fitial: Discussion? None. Ready?

Several members voiced, "ready."

There was no further discussion, and the motion to adopt H. R. NO. 14-008 as amended was carried by voice vote.

Speaker Fitial: H. R. NO. 14-008 as amended is adopted. Before we proceed, I'd just like to inform the members that the Governor has confirmed the meeting at 10:00 a.m. tomorrow.

Rep. Deleon Guerrero: Mr. Speaker, can I interpret that as an invitation to the minorities?

Speaker Fitial: I will seek clarification and advise you all.

Rep. Deleon Guerrero: In the spirit of cooperation.

Speaker Fitial: Miscellaneous. If there's no Miscellaneous Business, let's go down to Announcements.

BILL CALENDAR

None

MISCELLANEOUS BUSINESS

None

ANNOUNCEMENTS

The Chair recognized Rep. Quitugua.

Rep. Quitugua: Thank you, Mr. Speaker. Now that the meeting with the Governor is confirmed for tomorrow morning, I believe the session will not take place in the morning and if we'll...

Speaker Fitial: It will take place in the afternoon.

Rep. Quitugua: The House Committee on Education has its weekly meeting on Thursdays and since there's going to be a session, the meeting for tomorrow is postponed until further notice.

Speaker Fitial: Well, that's your prerogative. You're the Chairman. Representative Maratita.

Rep. Maratita: Just for information. The Committee on Natural Resources will be meeting at 3:00 p.m. this afternoon. Thank you.

The Chair recognized Acting Floor Leader Norita.

Acting Floor Leader Norita: For information. There's an informal meeting with TSA this afternoon at 2:00 p.m. They're doing a presentation on who they are. It's an invitation to all members so they can attend that meeting if they want to.

Speaker Fitial: Okay, so there's the invitation Congressman Deleon Guerrero.

Rep. Deleon Guerrero: That's for TSA.

Rep. Tebuteb: He wants the Governor.

The Chair recognized Rep. N. Palacios.

Rep. N. Palacios: I would like to announce that the Committee on Ways & Means is having a meeting right after the session to organize and prioritize those bills that came in at 3:30 p.m. yesterday. Thank you.

Speaker Fitial: Thank you. Any more announcements? If there are no more announcements, the House stands recess until tomorrow at 3:00 p.m.

The House adjourned at 11:08 p.m.

Respectfully submitted,

/s/ Lavidia S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 14-05: To amend Section 2 of Saipan Local Law 13-8 and Section 4 of Saipan Local Law 13-11 to require payment of the thirty percent (30%) early retirement bonus to eligible person in the Third Senatorial District who have retired or will retire by September 30, 2005; and for other purposes. (Second Appearance)

H. L. B. NO. 1401: To fund various improvements at the Capitol Hill Park in Precinct IV, Saipan by re-appropriating the sum of \$110,000.00 previously appropriated under S. L. L. No. 13-14. (Third Appearance)

H. L. B. NO. 14-02: To appropriate \$145,000.00 from the Developer Infrastructure Tax Fund; and for other purposes. (Third Appearance)

H. L. B. NO. 14-03: To appropriate the sum of \$20,345.00 from the fees collected from the Bingo, Batu and cockfighting; and for other purposes. (Third Appearance)

H. L. B. NO. 14-04: To appropriate \$20,000 for the CNMI Agricultural Fair to be held on Saipan in May 2004 from the special account under 10 CMC § 3617. (Third Appearance)

H. L. B. NO. 14-06: To appropriate \$20,000.00 from the fees collected under the Saipan Local Law 11-2; and for other purposes. (Third Appearance)



House Journal

FIRST REGULAR SESSION, 2004

Fourth Day

Thursday, February 12, 2004

The House of Representatives of the Fourteenth Northern Marianas Commonwealth Legislature convened in its **Fourth Day, First Regular Session**, on **Thursday, February 12, 2004**, at 3:12 p.m., in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Benigno R. Fitial, Speaker of the House, presided.

A moment of silence was observed.

The Clerk called the roll. Seventeen members were recorded present; Representative Oscar M. Babauta was excused.

Speaker Fitial: A quorum is constituted for the Fourth Day of the First Regular Session. Representative Babauta is excused.

ADOPTION OF JOURNALS

First Day, First Regular Session Journal (02/09/04)

Second Day, First Regular Session Journal (02/10/04)

Acting Floor Leader Norita moved for the adoption of the First Day and Second Day, First Regular Session Journals, was seconded and carried by voice vote.

Speaker Fitial: Motion carries.

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 14-095: A Bill for an Act to create a Public, Utilities, Telecommunications, and Services Commission by repealing the "Commonwealth Telecommunications Act" in its entirety and by amending 4 CMC, Div. 8 to add a new Chapter 3, Section 8301, et. seq., to be designated as the "Public, Utilities, Telecommunications, and Services Commission Act"; and for other purposes.

Offered by: Rep. Timothy P. Villagomez

Offered by: Committee on Public Utilities, Transportation & Communications

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 14-014: A House Resolution to acknowledge the significance of proclaiming CNMI Child Passenger Safety Week and the Pedro T. Deleon Guerrero Memorial Day in an effort to continue public education and ensure that the community practices lifesaving measures, most especially, by using approved child safety seats to prevent death or injury to children in the CNMI.

Offered by: Rep. Benjamin B. Seman and seventeen others

Rep. Seman: I would like to invite the Committee of the Whole to sponsor.

Speaker Fitial: If there's no objection, I'd like to place that resolution on the day's calendar for adoption.

There was no objection.

MESSAGES FROM THE GOVERNOR

GOV. COMM. 14-008 – [2/10/04] – Informing the Legislature that he signed H. B. NO. 13-325 (CNMI Emergency Health Power Act of 2003), into **Public Law No. 13-63**.

GOV. COMM. 14-009 – [2/10/04] – Informing the Legislature that he signed H. L. B. NO. 13-49, D1 (Josen Adu Road Act), into **Saipan Local Law No. 13-22**.

There was no discussion.

SENATE COMMUNICATIONS

SEN. COMM. 14-003 – Return of H. J. R. NO. 14-03 (Non-voting Delegate), which was adopted by the Senate without amendments on February 11, 2004. [For info – engrossment]

SEN. COMM. 14-004 – Return of H. J. R. NO. 14-04 (Increase value of foreign materials on apparels), which was adopted by the Senate without amendments on February 11, 2004. [For info – engrossment]

SEN. COMM. 14-006 – Return of H. J. R. NO. 14-01 (Prioritize Highway Funds for Tun Herman Pan Rd. reconstruction), which was adopted by the Senate without amendments on February 11, 2004. [For info – engrossment]

Speaker Fitial: If there's no objection, I'd like to place SEN. COMM. 14-2, which is H. J. R. NO. 14-02 on the day's calendar for action.

There was no objection.

Rep. Hofschneider: Point of order. Mr. Speaker, may I be recognized?

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Procedurally, we have to accept the Senate Communications to be the property of the House and then we can place it on the calendar.

Speaker Fitial: We have to accept?

Rep. Hofschneider: Senate Communications.

Speaker Fitial: So we cannot place it before we accept?

Rep. Hofschneider: Motion to accept.

The Chair recognized Acting Floor Leader Norita.

Acting Floor Leader Norita moved for the acceptance of SEN. COMM. 14-002, was seconded and carried by voice vote.

SEN. COMM. 14-002 – Return of H. J. R. NO. 14-02, HD1 (Reprogramming authority for Judicial Commemorative Events), which was passed by the Senate with amendments on February 11, 2004, in the form of H. J. R. NO. 14-2, HD1, SD1. [For action on Senate amendments]

Speaker Fitial: Motion carries. Now, if there's no objection, I'd like to place SEN. COMM. 14-2 on the day's Resolution Calendar for consideration.

There was no objection.

Speaker Fitial: On SEN. COMM. 14-5, Floor Leader, acceptance motion.

Acting Floor Leader Norita moved for the acceptance of SEN. COMM. 14-5, was seconded and carried by voice vote.

SEN. COMM. 14-005 – Transmittal of S. B. NO. 14-030, entitled, “To amend Division 4, Title 4 of the Commonwealth Code to add a new Part adopting the Uniform Limited Liability Company Act (1996), as drafted by the National Conference of Commissioners on Uniform State Laws and by it approved and recommended for enactment in all states at its annual conference meeting in San Antonio, Texas, July 12-July 19, 1996; and for other purposes,” which the Senate passed on February 11, 2004. [For action]

Speaker Fitial: SEN. COMM. 14-005 is accepted and it becomes a property of the House. I would like to assign this communication to the Committee on Judiciary & Governmental Operations for expeditious action. SEN. COMM. 14-7, Floor Leader.

Acting Floor Leader Norita moved for the acceptance of SEN. COMM. 14-7, was seconded and carried by voice vote.

SEN. COMM. 14-007 – Transmittal of S. B. NO. 14-023, entitled, “To provide guidelines on Wage Garnishment for those individuals that fail to commit on their child support obligations; to appoint a Child Support Enforcement Task Force; and for other purposes,” which was passed by the Senate on February 11, 2004. [For action]

Speaker Fitial: Motion carries. I’d also like to refer this communication to the Committee on Judiciary & Governmental Operations. We move to Item 7, House Communications.

HOUSE COMMUNICATIONS

HSE. COMM. 14-1: From the Speaker to the Secretary of Interior, the Hon. Gale Norton, expressing concerns over the control of CIP and other federal grants for the CNMI.

Speaker Fitial: This is the letter I mentioned yesterday that I sent to the Secretary of the Department of the Interior concerning control of funds from the Federal government. Any comments on this particular communication? If none, I’d just like to also point out that I received a copy – this is an informal transmittal of a letter dated February 10 - from the Department of the Interior to the CIP Administrator concerning the appropriations or funding that we received from OIA. As all of you know, we received communications yesterday that the Department of the Interior will no longer consider budget proposals less than \$500,000 so this letter clarifies that particular issue. When I received a more formal letter from the Governor’s Office or the Department of the Interior, whichever is first, I will distribute it to all the members. We move to Item 15, Resolution Calendar.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

OTHER COMMUNICATIONS

None

REPORTS OF STANDING COMMITTEES

None

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Speaker Fitial: Legal counsels, do we have a revised H. R. NO. 14-11? No. Representative Norman Palacios.

Rep. N. Palacios: No, Mr. Speaker. It's not done yet.

Speaker Fitial: Okay. So if there's no objection, we'll defer action on H. R. NO. 14-011.

There was no objection.

Speaker Fitial: Does everyone have copies of the resolution introduced by Representative Seman?

Rep. Apatang: Yes.

Speaker Fitial: Okay. If everyone has a copy, Floor Leader, can you effectuate a motion to adopt the resolution?

Acting Floor Leader Norita moved for the adoption of H. R. NO. 14-014, and was seconded by Rep. Attao.

H. R. NO. 14-014: A HOUSE RESOLUTION TO ACKNOWLEDGE THE SIGNIFICANCE OF PROCLAIMING CNMI CHILD PASSENGER SAFETY WEEK AND THE PEDRO T. DELEON GUERRERO MEMORIAL DAY IN AN EFFORT TO CONTINUE PUBLIC EDUCATION AND ENSURE THAT THE COMMUNITY PRACTICES LIFESAVING MEASURES, MOST ESPECIALLY, BY USING APPROVED CHILD SAFETY SEATS TO PREVENT DEATH OR INJURY TO CHILDREN IN THE CNMI.

Speaker Fitial: Discussion. Representative Seman.

Rep. Seman: Thank you, Mr. Speaker. If I can ask the House Clerk to just correct the date on my signature from January to February?

Speaker Fitial: Any further discussion on the adoption?

There being no further discussion; the motion to adopt H. R. NO. 14-014 was carried by voice vote.

Speaker Fitial: Motion carries. We move to Miscellaneous Business.

BILL CALENDAR

None

MISCELLANEOUS BUSINESS

The Chair recognized Rep. Ada.

Rep. Ada: Mr. Speaker, since I was absent for a couple of days due to my illness, I'd like to verify if H. L. B. NO. 14-5, as it appears on the fourth page of the agenda, is the one I introduced on the First Day, First Regular Session? Maybe the clerk can...

Speaker Fitial: House Clerk.

Rep. Ada: Is H. L. B. NO. 14-5 the one I introduced on the First Day, First Regular Session? It should be the third day – I just want to verify because I was absent for two days. I just want to verify because, if I'm not mistaken, there were two local bills that were introduced that day. *Malangu i taotao ya pago mafatu ya para u na klaru ha. Pinasensia ha. Si Yu'us Ma'ase para todos hamyo na man maolek taotao.*

Speaker Fitial: We have a clarification from the House Clerk. I would like to ask the House Clerk to...

(The clerk informed Representative Ada that Representative Lizama prefiled his local bill but he didn't introduce it on the First Day, First Regular Session. So Representative Lizama's bill was numbered H. L. B. NO. 14-05 and Representative Ada's bill was numbered H. L. B. NO. 14-06.)

Rep. Ada: So it's gone.

(The clerk informed Representative Ada that H. L. B. NO. 14-6 has been transmitted to the Saipan and Northern Islands Legislative Delegation.)

Rep. Ada: Thank you. Thank you for your time.

Speaker Fitial: We call that personalized service. If there's no objection, can we go back to Senate Communications because the clerk just pointed out to me that we need to act on a Joint Resolution that we adopted and the Senate has already adopted.

There being no objection; the House went back to Senate Communications.

SENATE COMMUNICATIONS

Speaker Fitial: According to the House Clerk, there's also a mechanical difficulty with the Joint Resolution so if there's no objection, can we authorize the House Clerk to fix the problem with the resolution?

Rep. Attao: Is that an official...

Speaker Fitial: I guess the Xerox machine just ate up some lines. I'm referring to page 3 of H. J. R. NO. 14-02.

Rep. Hofschneider: H. J. R. NO. 14-02, HD1?

Speaker Fitial: Right.

Rep. Hofschneider: There are two pages.

Speaker Fitial: Senate Draft 1.

Rep. Attao: Is it very technical or minor?

Speaker Fitial: These are minor. The lines were taken out, omitted.

Rep. Attao: So why don't we just go ahead and accept the Senate amendments and dispose of the resolution.

Speaker Fitial: Okay, so if there's no objection, let's place H. J. R. NO. 14-2 on the day's calendar for consideration.

There was no objection.

Speaker Fitial: The Senate has made some changes to H. J. R. NO. 14-02 as passed by the House. We now have HD1, SD1 to H. J. R. NO. 14-2. So can we effectuate a motion, Floor Leader, to adopt H. J. R. NO. 14-2, HD1, SD1.

Acting Floor Leader Norita moved for the acceptance of the Senate amendments to H. J. R. NO. 14-2, HD1, SD1, was seconded and carried by voice vote.

H. J. R. NO. 14-02, HD1, SD1: A HOUSE JOINT RESOLUTION TO REQUEST THE GOVERNOR TO EXERCISE REPROGRAMMING AUTHORITY PURSUANT TO 1 CMC § 7402(D) TO ASSIST IN THE FUNDING OF THE JUDICIAL BRANCH'S COMMEMORATIVE EVENTS AND LAW WEEK CELEBRATION.

Speaker Fitial: Motion carries. We're back to Miscellaneous Business. If there's no Miscellaneous Business, we move to Announcements.

ANNOUNCEMENTS

The Chair recognized Acting Floor Leader Norita.

Acting Floor Leader Norita: I'd like to invite the members to an informal meeting with individuals regarding the stateless citizenship tomorrow at the multi-purpose center at 6:00 p.m. If anybody is interested in joining that meeting, they're more than welcome to attend.

Speaker Fitial: Floor Leader, are you planning to introduce legislation on that issue?

Acting Floor Leader Norita: Yes, sir, Mr. Speaker.

Speaker Fitial: Okay. No further announcements? I'd like to announce that the meeting with the Governor this morning was very encouraging, and both houses, the Senate and the House, attended the meeting with the Governor and his key staff. The meeting was about the financial status of the Commonwealth. All parties, the Administration and the Legislature, recognized that we have a very serious financial problem and we also agreed to propose solutions to help cure this problem. So the Administration has proposed certain measures to consider in helping resolving the problem. I think the House also has certain measures that we would like to consider in supporting the costs to help cure the financial problem of the Commonwealth and I believe the Senate will also contribute their share. The meeting this morning ended with the creation of the Blue Ribbon Committee. The Blue Ribbon Committee will be tasked to discuss these proposed solutions to the financial problem and come up with a definitive plan to attack and resolve the financial problem of the Commonwealth. I would like to inform all of you that the Blue Ribbon Committee will comprise of five members: the Governor representing the Administration, the President representing the Senate, I will represent the House, a representative from the business community, and a representative from the Retirement Fund Program. I think the gesture was a well-perceived gesture from the Governor. The task is not easy but one thing I can say is that these proposed solutions, in my opinion, are realistic in a sense that it involves tangible solutions. It's just a matter of agreeing to do the right thing. So I will be representing this house and I will be reporting from time to time on the progress of the Blue Ribbon Committee. With that, the House stands recess until tomorrow at 10:00 a.m.

Rep. Tebuteb: Mr. Speaker.

The Chair recognized Rep. Tebuteb.

Rep. Tebuteb: Is there an understanding that the committee will be tasked on specific agenda?

Speaker Fitial: We have one specific agenda and that is to resolve the financial problem of the CNMI. We have identified the problems, where the problems are and the Governor has submitted proposed solutions to help solve the problem.

Rep. Tebuteb: Will there be a representative from the Commonwealth Utilities Corporation?

Speaker Fitial: According to the proposed structure that the Governor presented this morning at the meeting, there are only five members of the Blue Ribbon Committee. I don't know if the Governor plans to invite someone from CUC. Representative Deleon Guerrero.

Rep. Deleon Guerrero: Mr. Speaker, I was going to ask if we could move to Miscellaneous Business to raise a question but since you touched on the subject of the Governor's presentation – Mr. Speaker, yesterday I raised a question to you about whether we were invited to attend and I asked that specifically for a reason and you did not answer me with a yes or no rather that you would get back to us. Mr. Speaker, you did not get back to us. I attended today at the Governor's invitation after finding out that that invitation was given to both houses of the Legislature. My question is did you invite, as you so claim to the Governor, did you invite the minority to attend today's presentation with the Governor?

Speaker Fitial: I'm very sorry, Congressman Deleon Guerrero. I thought when I said yesterday you're invited to the meeting I thought I was referring to the Governor's meeting.

Rep. Deleon Guerrero: None of the members here got an invitation, Mr. Speaker. So you told the Governor you invited the majority and minority.

Speaker Fitial: When I mentioned yesterday that you're all invited I thought I was inviting the seniors as well. So if there is a misunderstanding, I take the blame.

Rep. Deleon Guerrero: Just clarification, Mr. Speaker. Thank you.

Speaker Fitial: Further comments or Miscellaneous, Announcements? None. The House stands recessed until 10:00 a.m.

The House adjourned at 3:38 p.m.

Respectfully submitted,

/s/ Lavidia S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

H. L. B. NO. 14-5: To amend Section 2 of Saipan Local Law 13-8 and Section 4 of Saipan Local Law 13-11 to require payment of the thirty percent (30%) early retirement bonus to eligible person in the Third Senatorial District who have retired or will retire by September 30, 2005; and for other purposes. (Third Appearance)



House Journal

FIRST REGULAR SESSION, 2004

Fifth Day

Wednesday, February 13, 2004

The House of Representatives of the Fourteenth Northern Marianas Commonwealth Legislature convened in its **Fifth Day, Fourth Regular Session, on Wednesday, February 13, 2004, at 10:21 a.m.**, in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Benigno R. Fitial, Speaker of the House, presided.

A moment of silence was observed.

The Clerk called the roll. Seventeen members were recorded present; Representative Oscar M. Babauta was excused.

Speaker Fitial: A quorum is constituted for the Fifth Day of the First Regular Session. Representative Babauta is excused.

ADOPTION OF JOURNALS

None

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 14-096: A Bill for an Act to mandate a uniform wage and salary schedule for the staff and personnel of the municipality governments and provide for the suspension of the application and operation of 1 CM §§ 8131(a)(12) and (a)(15), as amended under P.L. 13-1, for those offices which have not promulgated rules and regulations setting forth a comprehensive wage and salary schedule consistent with the Civil Service System; and for other purposes.

Offered by: Rep. Justo S. Quitugua
Referred to: Committee on Health & Welfare

H. B. NO. 14-097: A Bill for an Act to declare that all children of alien workers born between January 9, 1978 and November 4, 1986 permanent residents of the Commonwealth of the Northern Mariana Islands; and for other purposes.

Offered by: Rep. Claudio K. Norita and seven others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-098: A Bill for an Act to amend Title 2, Division 3 of the Commonwealth Code by adding a new Chapter 8 to require that waste containers have a lid or cover and to prohibit the accumulation of trash or garbage without a waste container.

Offered by: Rep. David M. Apatang and five others
Referred to: Committee on Health & Welfare

H. B. NO. 14-099: A Bill for an Act to reallocate the function of road and public signage and traffic signal construction and maintenance from the Department of Public Works to the respective Offices of the Mayors; and to reduce the cost of government by mandating that the Department of Public Works realign the functions of its Technical Services Division and contract out a substantial portion of its design work to the private sector.

Offered by: Rep. Timothy P. Villagomez and one other
Referred to: Committee on Judiciary & Governmental Operations

Rep. Hofschneider: Privilege, Mr. Speaker, under privilege on the House Rules.

Speaker Fitial: Privilege.

Rep. Hofschneider: We adopted a change in the Rules that requires the counsels to sign off on bills and you allowed H. B. NO. 14-97 without a counsel signing off.

Speaker Fitial: The bill that was prefiled bears the signature of the legal counsel.

Rep. Hofschneider: Not H. B. NO. 14-097.

Speaker Fitial: Clerk, can you provide Representative Hofschneider with a copy of the prefiled bill, which is signed by the legal counsel? Representative Ogo.

H. B. NO. 14-100: A Bill for an Act to reduce the cost of government services by realigning the function of the Department of Public Health to administer government-owned health care facilities.

Offered by: Rep. Crispin M. Ogo
Referred to: Committee on Judiciary & Governmental Operations

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 14-015: A House Resolution to congratulate Esther Sablan Seman for her nomination as the 2004 Poet of the Year by the International Society of Poets.

Offered by: Rep. Justo S. Quitugua and eight others

Rep. Quitugua: If there's no objection, I'd like to have this calendared on today's session for adoption.

There was no objection.

Rep. Quitugua: At the same time, Mr. Speaker, I would like to have the clerk copy page 3 where the signature of the legal counsel appears.

Speaker Fitial: No objection?

There was no objection.

Speaker Fitial: So ordered. Vice Speaker.

H. R. NO. 14-016: A House Resolution to congratulate Jerry Tan on his selection as the Saipan Chamber of Commerce's 2003 Business Person of the Year.

Offered by: Rep. Timothy P. Villagomez and one other

Vice Speaker Villagomez: I also ask the indulgence of the members to have this calendared for today.

There was no objection.

Speaker Fitial: So ordered. Any more resolutions for introduction? If none, we move to Item 12, Reports of Standing Committees.

MESSAGES FROM THE GOVERNOR

None

SENATE COMMUNICATIONS

None

HOUSE COMMUNICATIONS

None

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

OTHER COMMUNICATIONS

None

REPORTS OF STANDING COMMITTEES

Speaker Fitial: There's a committee report from the Committee on Ways & Means. If there's no objection, I would like to place this on the day's order of business. Representative Norman Palacios.

Rep. N. Palacios: There's a typo on the first page of the committee report under the title. Change that number to \$100,000.00. It looks like a million dollars. Just put a comma on it. That'll be \$100,000.00. Thank you, Mr. Speaker.

Speaker Fitial: Floor Leader, can we effectuate a motion to adopt the committee report.

Acting Floor Leader Norita: So moved, Mr. Speaker.

The motion to adopt S. C. R. NO. 14-1 was seconded and carried by voice vote.

S. C. R. NO. 14-001: Reporting on H. B. NO. 14-072, entitled, A Bill for an Act to reprogram \$100,000.00 from Section 2(3) of Public Law 13-10; and for other purposes. *Your Committee on Ways & Means recommends the passage of the bill.*

Speaker Fitial: Motion carries. We move to Item 15, Resolution Calendar.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

Speaker Fitial: H. R. NO. 14-011 has been referred to the Committee on Ways & Means so please remove that from the calendar. I believe we have two resolutions on today's calendar for adoption. Floor Leader.

Acting Floor Leader Norita moved for the adoption H. R. NO. 14-15, was seconded and carried by voice vote.

H. R. NO. 14-015: A HOUSE RESOLUTION TO CONGRATULATE ESTHER SABLAN SEMAN FOR HER NOMINATION AS THE 2004 POET OF THE YEAR BY THE INTERNATIONAL SOCIETY OF POETS.

Speaker Fitial: H. R. NO. 14-015 is adopted. Floor Leader.

Acting Floor Leader Norita: I move to adopt the resolution honoring Mr. Jerry Tan. What's the number of that? I didn't get a copy.

Rep. Hofschneider: Can we get a copy first?

Acting Floor Leader Norita: We didn't get a copy of that. They're making copies, Mr. Speaker.

Speaker Fitial: The copies will be reproduced and distributed. Let's just have about a minute and a half recess.

The House recessed at 10:30 a.m.

RECESS

The House reconvened at 11:33 a.m.

Speaker Fitial: The House shall reconvene. Before we went on recess, we were under Resolution Calendar. I believe there's a motion on the floor to adopt H. R. NO. 14-16. We're now under discussion. Any discussion?

The motion was seconded. There was no discussion, and the motion to adopt H. R. NO. 14-016 was carried by voice vote.

H. R. NO. 14-016: A HOUSE RESOLUTION TO CONGRATULATE JERRY TAN ON HIS SELECTION AS THE SAIPAN CHAMBER OF COMMERCE'S 2003 BUSINESS PERSON OF THE YEAR.

Speaker Fitial: H. R. NO. 14-016 is adopted. We move to Bill Calendar.

BILL CALENDAR

Speaker Fitial: Because we adopted S. C. R. NO. 14-001, I would like to ask the Floor Leader to effectuate a motion to place H. B. NO. 14-072 reference S. C. R. NO. 14-001 on today's Bill Calendar for action.

Acting Floor Leader Norita: So moved, Mr. Speaker.

The motion to place H. B. NO. 14-072 reference S. C. R. NO. 14-001 on the day's calendar was seconded and carried by voice vote.

Speaker Fitial: Motion carries. So we now have H. B. NO. 14-72 reference S. C. R. NO. 14-1 on the day's calendar for action. I would like to ask the Floor Leader to effectuate a motion to pass H. B. NO. 14-72.

Acting Floor Leader Norita: So moved, Mr. Speaker.

The motion was seconded.

H. B. NO. 14-072: A BILL FOR AN ACT TO REAPPROPRIATE \$100,000.00 FROM SECTION 2(3) OF PUBLIC LAW 13-10; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion. Representative Attao.

Rep. Attao: Thank you, Mr. Speaker. I would like to offer an oral floor amendment to S. C. R. NO. 14-001 to change "reprogram" to "re-appropriate"...

Rep. Hofschneider: Point of order. We're touching bill. We're under Bill Calendar?

Speaker Fitial: We're under Bill Calendar.

Rep. Hofschneider: The committee report is not domain to the Bill Calendar. He's amending the bill.

Speaker Fitial: Right. Your floor amendment should address the bill instead of the committee report.

Rep. Attao: Okay, Mr. Speaker, thank you. On page 1, on the heading of H. B. NO. 14-72 change “reprogram” to “re-appropriate”, Section 1. Purpose. change “reprogram” to “re-appropriate” and Section 2. “Reprogramming” change to “Re-appropriate”. Thank you.

The motion was seconded.

Rep. Attao: Let me rephrase – on Section 2. instead of “Reprogramming” it should be “Re-appropriation” and right after the word “hereby” change “reprogram” to “re-appropriated”. Thank you.

The motion to amend H. B. NO. 14-072 as offered by Representative Attao was seconded and carried by voice vote.

Speaker Fitial: Motion carries. Further discussion on the motion to pass H. B. NO. 14-072 as amended.

Several members voiced, “ready.”

Speaker Fitial: Roll call.

The roll called on the motion to pass H. B. NO. 14-072, HD1 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. David M. Apatang	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	excused
Rep. Joseph P. Deleon Guerrero	yes
Rep. Heinz S. Hofschneider	yes
Rep. Jesus SN. Lizama	yes
Rep. Janet U. Maratita	yes
Rep. Claudio K. Norita	yes
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Timothy P. Villagomez	yes
Rep. Ray N. Yumul	yes
Rep. Benigno R. Fitial	yes

Speaker Fitial: H. B. NO. 14-072, HD1 is passed. We move to Miscellaneous Business.

MISCELLANEOUS BUSINESS

The Chair recognized Rep. Yumul.

Rep. Yumul: Thank you, Mr. Speaker. Due to the schedule this coming week and the apparent time that we now have prior to lunch, I would like to extend to all the members an opportunity to meet today for our first Committee on Commerce & Tourism meeting scheduled for 11:00 a.m. in my conference room to conduct business that was forwarded to our committee review as far as the House Bills. Thank you, Mr. Speaker.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: Mr. Speaker, just so that we’re consistent. Monday is a holiday, but we do have a session right?

Speaker Fitial: If the members would like to have a session, but the leadership will be having a meeting in the morning. So is it the consensus that we have a session on Monday?

Rep. N. Palacios: No.

Rep. Hofschneider: I just thought that we fulfill the sixty days session fastest.

Speaker Fitial: We will be having a leadership meeting on Monday in the morning. As a matter fact, the leadership did not contemplate on having a session on Monday. In fact, the committees wanted to have a week working on the measures so I'm planning to recess the session until the following week Monday.

Rep. Hofschneider: I second that motion, Mr. Speaker.

Speaker Fitial: So any further Miscellaneous Business? If no Miscellaneous Business, we move to Announcements.

ANNOUNCEMENTS

Speaker Fitial: I believe Chairman Yumul have already announced that his committee will be meeting right after the session. I would like to remind all the members that the SGMA is inviting all the House members to a luncheon at Aqua Resort followed by a factory tour after the luncheon. So all the members are cordially invited. With that, I call the House recess until the following Monday, February 23, 2004.

The House adjourned at 10:43 a.m.

Respectfully submitted,

/s/ Lavidia S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

None



House Journal

FIRST REGULAR SESSION, 2004

Sixth Day

Monday, March 2, 2004

The House of Representatives of the Fourteenth Northern Marianas Commonwealth Legislature convened in its **Sixth Day, First Regular Session**, on **Monday, March 2, 2004**, at **9:18 a.m.**, in the House Chamber, Capitol Hill, Saipan, Commonwealth of the Northern Mariana Islands.

The Honorable Benigno R. Fitial, Speaker of the House, presided.

A moment of silence was observed.

The Clerk called the roll. Sixteen members were recorded present; Representative Claudio K. Norita was excused, and Representative Martin B. Ada came in late.

Speaker Fitial: A quorum is present for today's session. Representatives Ada and Norita are excused. I received the word that Representative Ada will be coming in late.

ADOPTION OF JOURNALS

Third Day, First Regular Session Journal (02/11/04)
Fourth Day, First Regular Session Journal (02/12/04)
Fifth Day, First Regular Session Journal (02/13/04)

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta moved for the adoption of the Third Day, Fourth Day and Fifth Day, First Regular Session Journals, was seconded and carried by voice vote.

Speaker Fitial: Motion carries.

PREFILED AND INTRODUCTION OF BILLS

H. B. NO. 14-101: A Bill for an Act to account for fixed assets in capital goods purchased by the Legislative Branch; and for other purposes.

Offered by: Rep. Justo S. Quitugua and six others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-102: A Bill for an Act to segregate the waived salaries of certain elected officials by senatorial district; and for other purposes.

Offered by: Rep. Justo S. Quitugua and seven others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-103: A Bill for an Act to amend Chapter 1 of Division 2 of Title 9 of the Commonwealth Code to add a new Section 2116; and for other purposes.

Offered by: Rep. David M. Apatang and three others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-104: A Bill for an Act to require that CUC bear the cost of connecting residential dwellings to its water, sewer and electrical power systems by amending 4 CMC § 8123(m).

Offered by: Rep. Justo S. Quitugua and three others

Referred to: Committee on Public Utilities, Transportation & Communications

H. B. NO. 14-105: A Bill for an Act to re-appropriate certain fund balances under Public Law Nos. 11-111 and 13-2 for the construction of bleachers at the basketball courts in Tanapag, San Roque, and As Matuis.

Offered by: Rep. Justo S. Quitugua
Referred to: Committee on Ways & Means

H. B. NO. 14-106: A Bill for an Act to amend 4 CMC § 5106 to prohibit abusive collection tactics, set limits on communications about debt, describe and forbid fraudulent or misleading collection practices, and limit the types of charges collectors may assess consumer debtors; and for other purposes.

Offered by: Rep. David M. Apatang and four others
Referred to: Committee on Judiciary & Governmental Operations

H. L. B. NO. 14-107: A Bill for an Act to exempt the Department of Public Health from the two-year working experience required under the Nonresident Workers Act, specifically 3 CMC § 4434(b)(1), for the recruitment and employment of nurses.

Offered by: Rep. Crispin M. Ogo
Referred to: Committees on Health & Welfare and Education

H. B. NO. 14-108: A Bill for an Act to promote re-investment in the Commonwealth of the Northern Mariana Islands (CNMI) by leveraging CNMI Government deposits with qualified financial and lending institutions licensed and doing business in the CNMI; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and six others
Referred to: Committee on Ways & Means

H. B. NO. 14-109: A Bill for an Act to amend 4 CMC § 2124(m) to clarify the expenditure authority for the Marianas Visitors Authority to include promotional expenses; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and four others
Referred to: Committee on Commerce & Tourism

H. B. NO. 14-110: A Bill for an Act to amend Public Law 12-61 to mandate that all deposits of public funds made by the CNMI Government, including deposits of autonomous agencies are fully protected and secured or collateralize against unwarranted risks by pledging deposits at 120 percent of bank assets; and for other purposes.

Offered by: Rep. Joseph P. Deleon Guerrero and six others
Referred to: Committee on Ways & Means

H. B. NO. 14-111: A Bill for an Act to require MPLA to establish commercial permit fees for mining on public lands under its jurisdiction based on a value assessment by amending Section 104 of Public Law 12-33 to insert a new subsection (g).

Offered by: Rep. Arnold I. Palacios and two others
Referred to: Committee on Natural Resources

H. B. NO. 14-112: A Bill for an Act to restrict the planting of tress and other such vegetables below and around power lines and facilities; and for other purposes.

Offered by: Rep. Arnold I. Palacios and one other
Referred to: Committee on Public Utilities, Transportation & Communications

H. B. NO. 14-113: A Bill for an Act to provide criminal penalties for anyone who steals, defaces, vandalizes, or destroys a street sign; and for other purposes.

Offered by: Rep. Ramon A. Tebuteb and seven others

Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-114: A Bill for an Act to provide a 120-day amnesty period for the filing of delinquent returns under Title 4, Chapters 2, 3, 4, 5 and 7, Division 1 of the Revenue and Taxation Act of 1982, as amended, and the payment of delinquent taxes without imposition of penalty and interest, with certain exemptions and for the waiver of penalty for failure to obtain a business license; and for other purposes.

Offered by: Rep. Oscar M. Babauta and one other
Referred to: Committee on Ways & Means

H. B. NO. 14-115: A Bill for an Act to establish a Limited Authority Peace Officer Standard in the Commonwealth of the Northern Mariana Islands and to amend 6 CMC § 2203, 1 CMC § 8282, 1 CMC § 7406 (a)(3) and 6 CMC § 1434; and for other purposes.

Offered by: Rep. Oscar M. Babauta and two others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-116: A Bill for an Act to establish a Parole Supervision Assessment Fees Program in the Office of the Board of Parole; and for other purposes.

Offered by: Rep. Oscar M. Babauta and two others
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-117: A Bill for an Act to repeal and re-enact 1 CMC Section 8131(a)(15) relating to the personnel and staff of the Municipal Councils in any Commonwealth Municipality.

Offered by: Rep. Oscar M. Babauta and one other
Referred to: Committee on Judiciary & Governmental Operations

H. B. NO. 14-118: A Bill for an Act to exempt interests and dividend incomes from the gross revenue tax by amending 4 CMC §§ 1103(k).

Offered by: Rep. Norman S. Palacios
Referred to: Committee on Ways & Means

H. L. B. NO. 14-07: A Local Bill for an Act to appropriate \$65,700.00 from the local license fees for pachinko slot machines and poker machines in the First Senatorial District; and for other purposes. [First Appearance]

Offered by: Rep. Crispin M. Ogo

H. L. B. NO. 140-8: A Local Bill for an Act to appropriate the sum of \$2 million (\$2,000,000) from funds generated under Saipan Local Law 11-2, as amended, for the operations of the Water Task Force; and for other purposes. [First Appearance]

Offered by: Rep. Arnold I. Palacios and four others

H. L. B. NO. 14-09: A Local Bill for an Act to appropriate \$165,000 from Saipan Local Law 11-2; and for other purposes. [First Appearance]

Offered by: Rep. Arnold I. Palacios and five others

H. L. I. NO. 14-01: A House Legislative Initiative to amend Article XV, section 2(a) of the Constitution of the Northern Mariana Islands.

Offered by: Rep. Justo S. Quitugua and three others
Referred to: Committee on Judiciary & Governmental Operations

H. L. I. NO. 14-02: A House Legislative Initiative to permit the Legislature to provide by law that government retirees may be reemployed as classroom teachers without losing retirement benefits for an unrestricted period of time by amending Article III, section 20(b) of the Constitution of the Northern Mariana Islands.

Offered by: Rep. Justo S. Quitugua and three others
 Referred to: Committees on Judiciary & Governmental Operations and Education

PREFILED AND INTRODUCTION OF RESOLUTIONS

H. R. NO. 14-017: A House Resolution to honor Lorenzo I. Deleon Guerrero, a dedicated servant of the Commonwealth of the Northern Mariana Islands.

Offered by: Rep. Arnold I. Palacios and seventeen others

Rep. A. Palacios: If there's no objection, I'd like this to be sponsored by the Committee of the Whole.

There was no objection.

Speaker Fitial: The subject resolution will be placed on the day's Resolution Calendar for adoption.

H. R. NO. 14-018: A House Resolution to congratulate Roman "Bo" Tenorio Palacios, Jr. for his recognition as a Rainey Congressional Scholar.

Offered by: Rep. Oscar M. Babauta and seventeen others

Floor Leader Babauta: If there's no objection, I wish to place this resolution on the day's calendar.

There was no objection.

Speaker Fitial: So ordered.

H. J. R. NO. 14-05: A House Joint Resolution to request the Honorable Governor Juan N. Babauta and Lt. Governor Diego T. Benavente to lift the austerity measure on the civil service employees' within-grade increase (Part IV.B14); and for other purposes.

Offered by: Rep. Jesus T. Attao and three others

H. J. R. NO. 14-06: A House Joint Resolution to request the Secretary of Finance and the Director of Personnel to review all CNMI Government employees records who have retired in December and have not received their salary adjustment due to closing of the pay periods set by the Retirement Fund; and for other purposes.

Offered by: Rep. Jesus T. Attao and three others

Rep. Attao: No objection?

There was no objection.

Speaker Fitial: So ordered. The subject resolutions will be placed on the day's calendar for consideration. If there's no further introduction of resolutions, let's proceed to Item 5, Messages from the Governor.

MESSAGES FROM THE GOVERNOR

GOV. COMM. 14-010 – [2/12/04] – Enclosing a copy of OIA's response clarifying the CIP submittals with a budget of \$500,000.

GOV. COMM. 14-011 – [2/13/04] – Informing the Legislature that he vetoed H. B. NO. 13-21, HS1, SD1 (Public Education on Constitutional Amendments).

There was no discussion.

SENATE COMMUNICATIONS

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta moved for the acceptance of SEN. COMM. 14-8 thru SEN. COMM. 14-12 subject to the order of the Chair, was seconded and carried by voice vote.

SEN. COMM. 14-008: Return of H. B. NO. 14-072, HD1 (\$100k Appropriation for As Falipe Rd.), which was passed by the Senate without amendments on February 12, 2004. [Before the Governor (02/27/04)]

SEN. COMM. 14-009: Transmittal of S. J. R. NO. 14-04, entitled, "A Senate Joint Resolution authorizing an increase in the number of full-time employment positions for the Legislative Bureau from 35, as authorized under continuing appropriations pursuant to the Appropriations and Budget Authority Act of 2003 (Public Law 13-24), to 45," which was adopted by the Senate on February 23, 2004. [For action]

SEN. COMM. 14-010: Transmittal of S. R. NO. 14-08, entitled, "A Senate Resolution to urge the Governor to recognize our CMI school counselors by proclaiming and observing February 27, 2004 as 'CNMI School Counselors Day'," which was adopted by the Senate on February 23, 2004. [For info]

SEN. COMM. 14-011: Transmittal of S. B. NO. 14-013, entitled, "A Bill for an Act to amend Public Law 13-5 to further clarify and restrict the Marianas Visitors Authority's exemption from the moratorium on the hiring of nonresident workers mandated by Public Law 11-6; and for other purposes," which was passed by the Senate on February 23, 2004. [For action]

SEN. COMM. 14-012: Transmittal S. B. NO. 14-025, entitled, "A Bill for an Act to amend 3 CMC § 4331 to lower the amount of requirement investment for the foreign retirement investment certificate and extend duration of entry permits for non-resident senior citizens; and for other purposes," which was passed by the Senate on February 23, 2004. [For action]

Speaker Fitial: Motion carries. On SEN. COMM. 14-9, I would like to refer that particular communication to the Committee on Judiciary & Governmental Operations for consideration and report back recommendations. SEN. COMM. 14-11 also to the Committee on Judiciary & Governmental Operations and SEN. COMM. 14-12 to the Committee on Commerce & Tourism. We move to House Communications.

HOUSE COMMUNICATIONS

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta: Thank you. I have a report from Representative Apatang, if there's no objection, I wish to place this as an official communication of the House, Mr. Speaker.

There was no objection.

Speaker Fitial: So ordered. Can we also effectuate a motion to accept the House Communications including the report?

Floor Leader Babauta: So moved, Mr. Speaker.

HSE. COMM. 14-002: From Rep. Apatang informing the Speaker that he will be off-island from February 27-28, 2004.

HSE. COMM. 14-004: From Rep. Apatang submitting his trip report.

The motion was seconded. There was no discussion, and the motion to accept HSE. COMM. HSE. COMM. 14-2 and 14-4, was carried by voice vote.

Speaker Fitial: Motion carries. We also have HSE. COMM. 14-3. Floor Leader, can we effectuate an acceptance motion?

Floor Leader Babauta: So moved, Mr. Speaker.

The motion to accept HSE. COMM. 14-3 was seconded and carried by voice vote.

HSE. COMM. 14-003: From the Speaker to Mr. Walden K. Weilbacher, APIL Secretariat, informing him of the appointment of Vice Speaker Villagomez to serve the remaining term of former Rep. Manuel Tenorio.

Speaker Fitial: Motion carries. We move to Item 11, Other Communications.

COMMUNICATIONS FROM THE JUDICIAL BRANCH

None

COMMUNICATIONS FROM THE RESIDENT REPRESENTATIVE

None

COMMUNICATIONS FROM DEPARTMENTS & AGENCIES

None

OTHER COMMUNICATIONS

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta moved for the acceptance of MISC. COMM. 14-3 thru MISC. COMM. 14-5, was seconded and carried by voice vote.

MISC. COMM. 14-003 – [2/12/04] – From Mayor Juan B. Tudela enclosing a copy of résumés and financial statements of his appointments to the Saipan Higher Education Financial Scholarship Board.

MISC. COMM. 14-004 – [2/25/04] – From Mayor Juan B. Tudela withdrawing the appointment of Mr. Antonio A. Santos to the Saipan Higher Education Financial Assistance Board and appointing Mr. Howard I. Macaranas as his replacement.

MISC. COMM. 14-005 – [2/23/04] – From Hon. Aren B. Palik, PIDB President and CEO, to the Presiding Officers regarding the appointment of a representative for the PIDB.

Speaker Fitial: Motion carries. We move to Item 12, Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta moved to place Joint S. C. R. NO. 14-01 relative to H. B. NO. 14-003, S. C. R. NO. 14-002 relative to H. B. NO. 14-051, CD1, S. C. R. NO. 14-003 relative to H. B. NO. 14-076 and S. C. R. NO. 14-004 relative to H. B. NO. 14-068 on the calendar, was seconded and carried by voice vote.

Speaker Fitial: Motion carries. Floor Leader.

Floor Leader Bababuta moved for the adoption of Joint S. C. R. NO. 14-01 relative to H. B. NO. 14-003 and was seconded by three others.

Joint S. C. R. NO. 14-01: Reporting on H. B. NO. 14-003, entitled, A Bill for an Act to complement enforcement of Public Law 13-15 (Tobacco Master Settlement Model Escrow Statute); and for other purposes. *Your Committees on Health & Welfare and Ways & Means the passage of the bill.*

Speaker Fitial: Any discussion? Representative Hofschneider.

Rep. Hofschneider: Thank you, Mr. Speaker. I have two comments on each committee report. First, on S. C. R. NO. 14-003...

Speaker Fitial: We're discussing the motion on the adoption of Joint S. C. R. NO. 14-01.

Rep. Hofschneider: Oh, I thought I heard him blanket the approval.

Speaker Fitial: On Joint S. C. R. NO. 14-001.

Rep. Hofschneider: I withdraw.

There was no further discussion, and the motion to adopt Joint S. C. R. NO. 14-001 was carried by voice vote.

Speaker Fitial: Motion carries. Floor Leader.

Floor Leader Babauta moved for the adoption of S. C. R. NO. 14-2 relative to H. B. NO. 14-51, CD1, S. C. R. NO. 14-3 relative to H. B. NO. 14 76, and S. C. R. NO. 14-4 relative to H. B. NO. 14-68 and was seconded by two others.

S. C. R. NO. 14-002: Reporting on H. B. NO. 14-051, entitled, A Bill for an Act to amend Section 5 of Public Law 13-13 by re-appropriating \$400,000 from Public Law No. 13-13 to fund road improvement projects in Precinct IV Saipan and renovation and improvement of the Susupe Beach Park; and for other purposes. *Your Committee on Ways & Means recommends the passage of the bill as amended.*

S. C. R. NO. 14-003: Reporting on H. B. NO. 14-076, entitled, A Bill for an Act to amend Public Law 12-40 regarding Tinian and Rota Capital Improvement Projects; and for other purposes. *Your Committee on Ways & Means recommends the passage of the bill.*

S. C. R. NO. 14-004: Reporting on H. B. NO. 14-068, entitled, A Bill for an Act to regulate the Land Exchange Program; and for other purposes. *Your Committee on Natural Resources recommends the passage of the bill.*

Speaker Fitial: Discussion. Representative Hofschneider.

Rep. Hofschneider: Thank you, Mr. Speaker. Just a clarification on the committee report. This committee report is referenced to H. B. NO. 14-76, which is attempting to amend Public Law 12-40. Public Law 12-40 is an appropriation bill for NMHC's Housing Program to defray the costs of the infrastructure emplaced in Koblerville area. What this bill is attempting to do is essentially give some latitude to – flexibility for the respective delegations of the First and Second Senatorial Districts. I have no problems or qualms on their needs, but I'm somewhat curious to know whether he has received any information as to the status of those bond interests that we're pursuing with a mind set of the appropriation being emplaced. The Committee on Ways & Means or the author, Mr. Speaker.

The Chair recognized Rep. N. Palacios.

Rep. N. Palacios: Mr. Speaker, I have the information from CDA. Public Law 12-40 has been earmarked for Rota and Tinian road project. I guess it's legitimate to me.

Rep. Hofschneider: So they have earmarked based on Public Law 12-40?

Rep. N. Palacios: Yes.

Rep. Hofschneider: What about the subsequent legislation that we passed in the previous Legislature granting half a million dollars for the dialysis for Rota and Tinian from the same account?

Rep. N. Palacios: I didn't see that portion, Representative Hofschneider. I only saw Public Law 12-40 indicating that \$500,000 for Rota and Tinian.

Rep. Hofschneider: Is set aside?

Rep. N. Palacios: Yes.

Rep. Hofschneider: Just so it's clear, Mr. Speaker, that we don't come back and revisit the issue of half a million dollars for the First and Second Senatorial Districts again. We are clear that this appropriation is going to be taking precedence over subsequent laws appropriating the same money on the bond interests. And for the record, Mr. Speaker, that's clear.

Speaker Fitial: The \$500,000 that was appropriated under 13-...

Rep. Hofschneider: Two something.

Speaker Fitial: Right.

Rep. Hofschneider: This is the blackmail bill that the Senate's First and Second Senatorial Districts did on the prison project. It may be humorous but it's going to complicate the First and Second Senatorial Districts. Just so long as your priorities – we don't have any objections on you setting your own priorities, but I want to make it very clear there's only half a million dollars appropriated under the bond interests. Because the way the total bond interests for the \$60 million Capital Improvement Projects is, again, the formulary for the distribution of interests is the same as the formulary used for 702 distribution, one-eighth, one-eighth and the rest for the Third Senatorial District. So when you attempt to re-designate and reprioritize your project, we don't have a problem with that. We made an agreement. We will live up to it but please don't hold us accountable for any shortfall having you set your priorities. We will support you.

Speaker Fitial: I believe that's very clear.

Rep. Hofschneider: And another comment, Mr. Speaker, on S. C. R. NO. 14-004. I know that there is a sunset provision on land exchanges occurring within the senatorial districts and until Marianas Public Lands Authority completes a land use plan, which is long overdue – Mr. Speaker, the Constitution calls for an appropriate timely and updated land use plan. We have not seen any in the last twelve years. The point is in Saipan, the Third Senatorial District, the last time MPLA made an assessment or accounted for all remaining lands in the Third Senatorial District of Saipan that is deemed public land only about 7% to 9% remaining of the total land area belongs to Marianas Public Lands Authority. So logically, any land exchange occurring in the Third Senatorial District that those individuals who wish to go down to the First and Second Senatorial Districts should be accorded. This is one Commonwealth. I know that the drive of this legislation is to prevent the First and Second Senatorial Districts from exchanging into the Third Senatorial District. Let's not kid ourselves. That is the motive behind this bill and I support it. And rightfully so, Mr. Speaker and members, for the author to introduce this but to maximize the assets of public land when the First and Second Senatorial Districts in the early days of our Commonwealth in Tinian, for instance, the Second Senatorial District, during the negotiation and the consummation of the military land lease a lot of the people in Tinian were offered to exchange into Saipan. There were a lot of Rota residents who also took advantage of the opportunity to exchange into Saipan. Whether we made a mistake, no one can say that. Only history will tell us. But the point is, Mr. Speaker, why should we prevent a resident from Saipan who wishes to have property exchange in Tinian and in Rota when there are much more public lands available in that senatorial district. It's not an effective mechanism to just limit the exclusivity of exchanging within that same physical senatorial district because for all intents and practical purposes Saipan is only holding 7% to 9% of the total land area being deemed public land and is available for land exchanges. Coupled with that, the taxing decision that this body today and in the future is should we continue the \$50 Homestead Program and there are 4,000 individuals waiting for their lots. Now, logic dictates in this sense that this committee report should allude to the possibility of not limiting those individuals who have land exchanges from Saipan to be able to look at the First and Second Senatorial Districts as a potential or possible land compensation. But vice versa doesn't logically work because we have opened the doors and we don't have that much public land and we have a competing priority of living up to the 4,000 individuals waiting to have a homestead. So all in all the legislation is good but only halfway decent. It's not totally offering a corrective measure to relief the crocks of the problem in land compensation. Thank you.

The Chair recognized Rep. Apatang.

Rep. Apatang: Thank you, Mr. Speaker. I just have a few questions on S. C. R. NO. 14-002. Mr. Speaker, the original bill on this, H. B. NO. 13-013 appropriating \$400,000 for a water reservoir in Precinct II. I would just like to clarify whether there is any communication from the CUC Water Division that this money is not needed for a water reservoir in that particular area. I know that we have been experiencing water problems in Chalan Kanoa, Chalan Piao, and San Antonio. I specifically asked CUC to look at this project and if they cannot find public land in this particular area, we have more public lands in Precinct I that we can use this money built a sub-tank to alleviate the water situation in that

particular area. Now, I don't mind supporting this project also because I know there is a problem with the road but we'd like to clarify from CUC whether this money is not needed and that the water situation there is now okay.

Speaker Fitial: Representative Quitugua, respond.

Rep. Quitugua: Thank you, Mr. Speaker. I personally spoke to Jess Castro from CUC who handles the Water Division right after the meeting here with some of the members of this House and the delegation from CUC and he indicated to me that with the installation of the new water lines in Precinct II, the reservoir is no longer needed. Therefore, he advised me that it's better if we use the money that was appropriated for a more pressing need in Saipan.

Rep. Hofschneider: Point of information, Mr. Speaker.

The Chair recognized Rep. Hofschneider.

Rep. Hofschneider: That's a popcorn that got stuck halfway down my throat because it's ironic that the same person was aggressively pursuing a reservoir and a new water line. This was during the Thirteenth Legislature term. Our good Floor Leader today and former member Andrew Salas – and even drilling is part of that project and now to say that the reservoir, and by the way, the nearest reservoir and our former Executive Director can attest to my statement, correct me is the Dr. Torres reservoir. It may or may not be feeding to the west or rather to the south to Chalan Tun Antonion Apa and then down to Chalan Kanoa. They have a severe water problem. Connecting the new water line does not necessarily bring water down to Chalan Kanoa residents. What needs to be done is the reservoir and it's interesting that the same gentleman would make, in less than six months, a 180-degree turn around and claim that it is no longer needed. Do we have a 24-hour water scenario in your precinct good Floor Leader?

Floor Leader Babauta: No, but...

Rep. Hofschneider: I rest my case.

Floor Leader Babauta: Thank you. Mr. Speaker, may I?

Speaker Fitial: Floor Leader, go ahead.

Floor Leader Babauta: In line with the Congressman's concern, I have also spoken to – the detailed that the \$400,000 that was previously appropriated CUC have taken the initiative to perform the project in house. That means curtailing expenditures of primarily from the CUC Board from travel to use it for the water project. So because the distinguished Representative from Precinct IV requested for assistance to augment some of the Capital Improvement Projects in the northern side, I went ahead with the concurrence of Representative Lizama and agreed to the re-appropriated sum to augment his request. And because there is also a need for one of our Precinct II dilapidated facilities, the first beach park that we went ahead and re-appropriated the funds to address the concerns and the hazardous problem with the Susupe Regional Park. I was told that the couple of wells that were dug up in As Perdido area are functioning well. We've seen a lot of improvement in terms of water delivery down to Chalan Kanoa and to most of parts in Susupe. It is interconnected from the San Jose Beach Road south to the Chalan Piao distribution line. Thank you, Mr. Speaker.

Rep. Hofschneider: Mr. Speaker, for the last time.

Speaker Fitial: Representative Hofschneider, for the last time.

Rep. Hofschneider: I think the Vice Speaker can give us a lecture on the reality of what the water situation is in Saipan. Just last week, Mr. Speaker and members, the Executive Branch through the formation of the war on water situation is looking for \$4 million to resolve the critical needs of getting potable water to residences. Not all the villages have 24-hour water. Now, this is \$400,000 that the oldest community, Chalan Kanoa, has been asking for decent water hours. That's all they're asking – decent water hours. And coupled with the knowledge that the Administration is looking for \$4 million to deal with the water problem, I am reluctant in fact to support that because it took a great deal of trying to find money for Precinct II for this water project. And like the Water Task Force have claimed in their report, most of the wells dug over the years have over pumped the groundwater lens. It's only a matter of time for those wells that are producing for Chalan Kanoa and Precinct II to start over pumping. A reservoir would give a rest with a consistent water pressure when you shut off the pump and you fill the water reservoir. That's the logic behind the USGS emplacing the water tanks or reservoirs all throughout the islands. But, I guess we have to concede to the good Floor Leader giving up hard cash.

Floor Leader Babauta: Not really hard cash, Mr. Speaker.

Speaker Fitial: Vice Speaker, you wish to shed some...

Vice Speaker Villagomez: Just a short comment, Mr. Speaker. Rightfully so, Representative Hofschneider is right. But if you look at the amount, first it's not enough to drill wells. Second, it's not even enough to design and construct a water reservoir so maybe the intent is to try to use this money elsewhere and if the \$400,000 was originally intended, it will never achieve what Public Law 13-13 was aimed at.

Rep. Hofschneider: How much is half a million gallons tank?

Vice Speaker Villagomez: About \$500,000.

Rep. Hofschneider: We're \$400,000 there. What we need is \$100,000. Correct?

The Chair recognized Rep. Apatang.

Rep. Apatang: Thank you again, Mr. Speaker. My concern here is that there is nothing from CUC that's showing us on this committee report that they don't need this money to improve the water situation in that particular area. We have in CUC's word that 24-hour water in San Antonio, Chalan Piao and part of Chalan Kanoa but if you turn your faucet on at 9:00 at night you don't get anything out of it. This is my concern here. I want CUC to give us in writing that they don't need this money to upgrade any water facility in Precinct I or Precinct II. We just completed the hook up from As Lito to alleviate the water situation in Precinct II down to Tun Doi's Road. Now, if they don't need this money, I'd like to know because I've been hollering about water problem in that area. Now, I don't mind supporting the bill for my good colleague in Precinct IV because he needs his road fixed too, but first we have to make sure that there is water available for our people in that particular area. Thank you.

The Chair recognized Rep. A. Palacios.

Rep. A. Palacios: Thank you, Mr. Speaker. A lot has been said already, but I just introduced a bill this morning to help fund the Water Task Force in the amount of \$2 million. That funding is to contribute to the overall requirement of fixing the water system on this island. One of the components of the study that was done by the Army Corps of Engineers is reservoir, and like Congressman Hofschneider have said, it is very important that when you dig wells one of the problems with over pumping is because of the lack of reservoir. Also, in that particular area, one of the reservoir that have served that particular area even the As Lito is the reservoir at Dr. Torres Hospital. That capacity has declined because of leakage in that reservoir. Perhaps, CUC should have taken a look at repairing and renovating that reservoir. Like most of the other Representatives, Mr. Speaker, I do not have any problem supporting projects for Precinct IV. But it kind of amazes me how we shift from a very important commodity basically scraping, we basically scraped the bottom of the barrel in the last Legislature to accommodate this water situation in Precinct II, in Chalan Kanoa and overnight we're going to shift and take it out from there. I hope that we don't come to back to re-appropriating or appropriating another half a million dollars for water reservoir in Precinct II because we have taken the money away – something to consider, Mr. Speaker.

Rep. Attao: Mr. Speaker, can we hear from Representative Lizama if he concurred the \$400,000 to be transferred to Precinct IV?

Speaker Fitial: It's your prerogative. You wish to add fuel to the fire?

Floor Leader Babauta: Concurred, Mr. Speaker.

Rep. Lizama: Mr. Speaker, as everybody spoke about water problems, I, for one, Mr. Speaker, agree that the people of Chalan Kanoa deserves to have good water. But just like my good colleague Vice Speaker said that the \$400,000 is not enough for the water reservoir. Thank you, Mr. Speaker.

Speaker Fitial: Ready?

Several members voiced, "ready."

Speaker Fitial: Okay. This is...

Rep. Hofschneider: Roll call, Mr. Speaker.

Speaker Fitial: This is a vote on the motion to adopt the three standing committee reports. We were supposed to only discuss the merit of the committee report and wait until we get down to Bill Calendar to discuss the merit of the bill, but since we were very much advanced this morning we tend to sway.

There was no further discussion, and the motion to adopt S. C. R. NO. 14-002, S. C. R. NO. 14-003 and S. C. R. NO. 14-004 was carried by voice vote.

Speaker Fitial: Motion carries. We move to Item 15, Resolution Calendar.

REPORTS OF SPECIAL AND CONFERENCE COMMITTEES

None

UNFINISHED BUSINESS

None

RESOLUTION CALENDAR

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta: Thank you, Mr. Speaker. Mr. Speaker, earlier there was no objections from the members in placing the four resolutions on the calendar. With that, Mr. Speaker, motion for suspension on Rule VII, Section 9 so that we may adopt H. R. NO. 14-17, H. R. NO. 14-18, H. J. R. NO. 14-5 and H. J. R. NO. 14-6.

The motion was seconded and carried by voice vote.

Speaker Fitial: Motion carries. Floor Leader.

Floor Leader Babauta moved for the adoption of H. R. NO. 14-17 and H. R. NO. 14-18, was seconded and carried by voice vote.

H. R. NO. 14-017: A HOUSE RESOLUTION TO HONOR LORENZO I. DELEON GUERRERO, A DEDICATED SERVANT OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

H. R. NO. 14-018: A HOUSE RESOLUTION TO CONGRATULATE ROMAN "BO" TENORIO PALACIOS, JR. FOR HIS RECOGNITION AS A RAINEY CONGRESSIONAL SCHOLAR.

Speaker Fitial: Motion carries.

Floor Leader Babauta: Mr. Speaker.

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta: I'd just like to request the indulgence of the members that we allow the clerk to make a technical typo, error on line 2 of H. R. NO. 14-18 to be consistent with the subsequent line on the bottom the word "Price" after "Deborah".

Speaker Fitial: If there's no objection, the clerk have that duty.

There was no objection.

Floor Leader Babauta: Thank you, Mr. Speaker.

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta moved for the adoption of H. J. R. NO. 14-5 and H. J. R. NO. 14-6, was seconded and carried by voice vote.

H. J. R. NO. 14-05: A HOUSE JOINT RESOLUTION TO REQUEST THE HONORABLE GOVERNOR JUAN N. BABAUTA AND LT. GOVERNOR DIEGO T. BENAVENTE TO LIFT THE AUSTERITY MEASURE ON THE CIVIL SERVICE EMPLOYEES' WITHIN-GRADE INCREASE (PART IV.B14); AND FOR OTHER PURPOSES.

H. J. R. NO. 14-06: A HOUSE JOINT RESOLUTION TO REQUEST THE SECRETARY OF FINANCE AND THE DIRECTOR OF PERSONNEL TO REVIEW ALL CNMI GOVERNMENT EMPLOYEES RECORDS WHO HAVE RETIRED IN DECEMBER AND HAVE NOT RECEIVED THEIR SALARY ADJUSTMENT DUE TO CLOSING OF THE PAY PERIODS SET BY THE RETIREMENT FUND; AND FOR OTHER PURPOSES.

Speaker Fitial: Motion carries. We move to Bill Calendar.

BILL CALENDAR

The Chair recognized Floor Leader Babauta.

Floor Leader Babauta moved for the suspension of Rule IX, Sections 9, 10 and 11 for passage of H. B. NO. 14-51, CD1 relative to S. C. R. NO. 14-2, H. B. NO. 14-76 relative to S. C. R. NO. 14-3, H. B. NO. 14-68 relative to S. C. R. NO. 14-4 and H. B. NO. 14-3 relative to Joint S. C. R. NO. 14-1, was seconded and carried by voice vote.

Speaker Fitial: Motion carries. Floor Leader.

Floor Leader Babauta: Thank you, Mr. Speaker. So moved for the passage, Mr. Speaker, of H. B. NO. 14-3 under Joint S. C. R. NO. 14-1.

The motion was seconded.

H. B. NO. 14-003: A BILL FOR AN ACT TO COMPLEMENT ENFORCEMENT OF PUBLIC LAW 13-15 (TOBACCO MASTER SETTLEMENT MODEL ESCROW STATUTE); AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion.

Several members voiced, "ready."

Speaker Fitial: Roll call.

The roll called on the motion to pass H. B. NO. 14-003 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. David M. Apatang	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Heinz S. Hofschneider	yes
Rep. Jesus SN. Lizama	yes
Rep. Janet U. Maratita	yes
Rep. Claudio K. Norita	excused
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Timothy P. Villagomez	yes
Rep. Ray N. Yumul	yes
Rep Benigno R. Fitial	yes

Speaker Fitial: H. B. NO. 14-003 is passed. Floor Leader.

Floor Leader Babauta: Thank you, Mr. Speaker. I move for the passage on First and Final Reading H. B. NO. 14-051, CD1 under S. C. R. NO. 14-002.

The motion was seconded.

H. B. NO. 14-051, HD1: A BILL FOR AN ACT TO AMEND SECTION 5 OF PUBLIC LAW 13-13 BY RE-APPROPRIATING \$400,000 FROM PUBLIC LAW NO. 13-13 TO FUND ROAD IMPROVEMENT PROJECTS IN PRECINCT IV SAIPAN AND RENOVATION AND IMPROVEMENT OF THE SUSUPE BEACH PARK; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion. Representative Attao.

Rep. Attao: Thank you, Mr. Speaker. I have a written floor amendment to offer.

The motion was seconded.

The written floor amendment offered by Representative Attao to H. B. NO. 14-51, HD1 is as follows:

On page 1, Section 2, subsection a(2), line 8 after the word Saipan, delete period and insert under the expenditure authority of the Secretary of the Department of Public Works or his authorized designee. Funds appropriated by this Act shall be available without fiscal year limitation until expended.

Section 2, subsection b(3), line 18 after the designee period, insert Funds appropriated by this Act shall be available without fiscal year limitation until expended.

Speaker Fitial: Can we take a very, very short recess just so that we can make copies of the floor amendment offered by Representative Attao?

Floor Leader Babauta: It's passed out, Mr. Speaker.

Speaker Fitial: It's already passed? Okay. A floor amendment has been offered by Representative Attao. It has been seconded. Discussion. Representative Hofschneider.

Rep. Hofschneider: Likewise, do we know that Section 8, item 2 of the bill have similar language? Or should we? The project itself is going to take sometime. It may have to be reprogrammed. If it is not appropriate, then I rest.

Floor Leader Babauta: It's not appropriate.

There was no further discussion, and the written floor amendment offered by Representative Attao to H. B. NO. 14-51, CD1 was carried by voice vote.

Speaker Fitial: Motion carries. We're now voting on the main motion to pass H. B. NO. 14-51, CD1, HD1. Roll call.

The roll called on the motion to pass H. B. NO. 14-51, HD2 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. David M. Apatang	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Heinz S. Hofschneider	yes
Rep. Jesus SN. Lizama	yes
Rep. Janet U. Maratita	yes
Rep. Claudio K. Norita	excused
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Justo S. Quitugua	yes

Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Timothy P. Villagomez	yes
Rep. Ray N. Yumul	yes
Rep Benigno R. Fitial	yes

Speaker Fitial: H. B. NO. 14-051, HD2 passes the House on First and Final Reading. Floor Leader.

Floor Leader Babauta: Thank you, Mr. Speaker. I move for the passage on First and Final Reading H. B. NO. 14-076 under S. C. R. NO. 14-003.

The motion was seconded.

H. B. NO. 14-076: A BILL FOR AN ACT TO AMEND PUBLIC LAW 12-40 REGARDING TINIAN AND ROTA CAPITAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion.

Several members voiced, "ready."

Speaker Fitial: Roll call.

The roll called on the motion to pass H. B. NO. 14-076 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. David M. Apatang	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Heinz S. Hofschneider	yes
Rep. Jesus SN. Lizama	yes
Rep. Janet U. Maratita	yes
Rep. Claudio K. Norita	excused
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Timothy P. Villagomez	yes
Rep. Ray N. Yumul	yes
Rep Benigno R. Fitial	yes

Speaker Fitial: H. B. NO. 14-076 passed the House on First and Final Reading unanimously. Floor Leader.

Floor Leader Babauta: Thank you, Mr. Speaker. I move to pass on First and Final Reading H. B. NO. 14-068 under S. C. R. NO. 14-004.

The motion was seconded.

H. B. NO. 14-068: A BILL FOR AN ACT TO REGULATE THE LAND EXCHANGE PROGRAM; AND FOR OTHER PURPOSES.

Speaker Fitial: Discussion. Representative Hofschneider.

Rep. Hofschneider: Again, Mr. Speaker, I raise a possible solution to mitigate the diminishing land exchange in Saipan, the Third Senatorial District. I just want to pose that to the floor and the members since we do not have enough land in the Third Senatorial District, there is a potential for individuals to be compensated if they so desire to exchange down to Rota and Tinian, the First and Second Senatorial Districts. This would not accommodate those individuals to pursue a

land exchange that they would prefer to have a land exchange in Rota and Tinian. So that's an offer that – where a solution to the diminishing public lands in the Third Senatorial District, but I rest that offer to the floor. Thank you.

Speaker Fitial: Any further discussion on the passage motion?

Several members voiced, “ready.”

Speaker Fitial: Okay. Roll call.

The roll called on the motion to pass H. B. NO. 14-068 on First and Final Reading is as follows:

Rep. Martin B. Ada	yes
Rep. David M. Apatang	yes
Rep. Jesus T. Attao	yes
Rep. Oscar M. Babauta	yes
Rep. Joseph P. Deleon Guerrero	yes
Rep. Heinz S. Hofschneider	yes
Rep. Jesus SN. Lizama	yes
Rep. Janet U. Maratita	yes
Rep. Claudio K. Norita	excused
Rep. Crispin M. Ogo	yes
Rep. Arnold I. Palacios	yes
Rep. Norman S. Palacios	yes
Rep. Justo S. Quitugua	yes
Rep. Benjamin B. Seman	yes
Rep. Ramon A. Tebuteb	yes
Rep. Timothy P. Villagomez	yes
Rep. Ray N. Yumul	yes
Rep Benigno R. Fitial	yes

Speaker Fitial: H. B. NO. 14-068 passes the House on First and Final Reading 17-0.

MISCELLANEOUS BUSINESS

Speaker Fitial: At this time, I would like to ask the Floor Leader to effectuate to resolve into the Committee of the Whole? We have presentation of resolutions.

Floor Leader Babauta moved to resolve into the Committee of the Whole for the presentation of resolutions, was seconded and carried by voice vote.

The House went into Committee of the Whole at 10:13 a.m.

COMMITTEE OF THE WHOLE

The House returned to plenary session at 10:23 a.m.

Speaker Fitial: Motion carries. We're still on Miscellaneous Business. Any miscellaneous excitement? Floor Leader.

Floor Leader Babauta: Mr. Speaker, on a personal note, I just wish to thank the members, their families and the employees of this House for their prayers regarding the speedy recovery of my son on my recent trip to Hawaii. Thank you.

Speaker Fitial: I've been advised by Representative Benjamin Seman that he will be presenting another resolution tomorrow. So, we will reconvene tomorrow at 10:00 a.m. and before the 10:00 a.m. session, the resolution will be presented. So no further miscellaneous? Any announcements? The House stands recess until tomorrow at 10:00 a.m.

ANNOUNCEMENTS

None

The House adjourned at 10:23 a.m.

Respectfully submitted,

/s/ Lavidia S. Palacios, Journal Clerk
House of Representatives

APPEARANCE OF LOCAL BILLS

None